فتاوى إسلامية

FATAWA ISLAMIYAH
ISLAMIC VERDICTS

[Volume 4]

HAJJ RITES AND
SALES TRANSACTIONS (2)

From the Noble Scholars:

Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz

Shaykh Muhammad bin Salih Al-'Uthaimin

Shaykh 'Abdullah bin 'Abdur-Rahman Al-Jibreen

Along with:

The Permanent Committee and
the decisions of the *Fiqh* Council

Collected by

Muhammad bin 'Abdul-'Aziz al-Musnad

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The Book of *Hajj* Rites

Advice to Those Performing *Hajj* to the Sacred House of Allâh

By His Eminence, Ash-Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz

All praise is due to Allâh alone and may prayers of blessing and peace be upon His servant and Messenger, our Prophet Muhammad, and upon his family and Companions and whoever followed them in righteousness until the Day of Judgement.

O Muslims, who have come for *Hajj* to the Sacred House of Allâh, I ask Allâh for success for you and us in doing that which pleases Him and safety from the deceptions of evil temptations. Likewise, I ask Him to give all of you success in offering your *Hajj* rites in the manner which pleases Him, and that He accept it from you, and return you to your lands safe and successful. Verily, He is the Best Who is asked.

O Muslims! Verily, my advice to everyone is to fear Allâh in all situations, and to stand firmly upon His religion, and to beware of those things that cause His anger. Verily, the most important of the mandatory acts and the greatest of the obligations is the *Tawhid* of Allâh and sincerity in singling Him out for all acts of worship. This goes along with being concerned about following His Messenger ﷺ in statements and deeds. Verily, the rites of *Hajj* and the rest of the acts of worship should be performed in the manner that Allâh legislated for His servants upon the tongue of His Messenger, His *Khalil* and His chosen one among His creation, our Prophet, Imam and leader, Muhammad bin 'Abdullah ﷺ.

Verily, the greatest of evil acts and the most dangerous of crimes is to associate partners with Allâh. This is by directing worship or some acts of worship to other than Allâh. This is due to Allâh's Statement:

﴿إِنَّ ٱللَّهَ لَا يَغۡفِرُ أَن يُشۡرَكَ بِهِۦ وَيَغۡفِرُ مَا دُونَ ذَٰلِكَ لِمَن يَشَآءُ﴾

"Verily, Allâh does not forgive that partners be associated with Him, but He forgives whatever is less than that (of sins) for whomever He wishes." [1]

And His Statement while addressing His Prophet Muhammad ﷺ:

﴿وَلَقَدۡ أُوحِيَ إِلَيۡكَ وَإِلَى ٱلَّذِينَ مِن قَبۡلِكَ لَئِنۡ أَشۡرَكۡتَ لَيَحۡبَطَنَّ عَمَلُكَ وَلَتَكُونَنَّ مِنَ ٱلۡخَٰسِرِينَ ٦٥﴾

"Indeed it has been revealed to you (O Muhammad ﷺ) and to those who were before you that if you associate partners (with Allâh), your deeds will be wasted and you will certainly be among the losers." [2]

O you who are performing *Hajj* to the Sacred House of Allâh! Verily, our Prophet ﷺ did not perform *Hajj* after his migration to Al-Madinah except for once, and that was the Farewell *Hajj*. That was at the end of his life. During it he taught the people their *Hajj* rites by his statements and deeds. He ﷺ said to them:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[3]

Thus, it is obligatory upon all of the Muslims to follow him in that and to perform their *Hajj* rites in the manner that he legislated for them. This is because he ﷺ is the guiding teacher, and Allâh sent him as a mercy for all the worlds and as finality for the servants (of Allâh). Thus, Allâh commanded His servants

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[1] *An-Nisa* 4:48.
[2] *Az-Zumar* no. 39:65.
[3] Al-Baihaqi. 5/121

to obey him (the Prophet ﷺ), and He clarified that following him is a cause for entering Paradise and being saved from the Fire. He explained that he (the Prophet ﷺ) was the proof of the servant's true love for his Lord and Allâh's love for the servant. This is as Allâh said:

﴿وَمَآ ءَاتَىٰكُمُ ٱلرَّسُولُ فَخُذُوهُ وَمَا نَهَىٰكُمْ عَنْهُ فَٱنتَهُوا۟﴾

"And whatever the Messenger gives you take it and whatever he forbids you from, abstain from it." [1]

And He said:

﴿وَأَقِيمُوا۟ ٱلصَّلَوٰةَ وَءَاتُوا۟ ٱلزَّكَوٰةَ وَأَطِيعُوا۟ ٱلرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿٥٦﴾﴾

"And establish the prayer and pay Az-Zakah, and obey the Messenger so that perhaps you may receive mercy."[2]

And He said:

﴿لَّقَدْ كَانَ لَكُمْ فِى رَسُولِ ٱللَّهِ أُسْوَةٌ حَسَنَةٌ لِّمَن كَانَ يَرْجُوا۟ ٱللَّهَ وَٱلْيَوْمَ ٱلْءَاخِرَ وَذَكَرَ ٱللَّهَ كَثِيرًا ﴿٢١﴾﴾

"Indeed there is a good example for you all in the Messenger of Allâh, for whoever hopes in (meeting) Allâh and the Last Day and remembers Allâh much."[3]

And He said:

﴿وَمَن يُطِعِ ٱللَّهَ وَرَسُولَهُۥ يُدْخِلْهُ جَنَّٰتٍ تَجْرِى مِن تَحْتِهَا ٱلْأَنْهَٰرُ خَٰلِدِينَ فِيهَا ۚ وَذَٰلِكَ ٱلْفَوْزُ ٱلْعَظِيمُ ﴿١٣﴾ وَمَن يَعْصِ ٱللَّهَ وَرَسُولَهُۥ وَيَتَعَدَّ حُدُودَهُۥ يُدْخِلْهُ نَارًا خَٰلِدًا فِيهَا وَلَهُۥ عَذَابٌ مُّهِينٌ ﴿١٤﴾﴾

"Whoever obeys Allâh and His Messenger, He will cause him to enter Gardens with rivers flowing beneath them. They will remain

[1] *Al-Hashr* 59:7.
[2] *An-Nur* 24:56.
[3] *Al-Ahzab* 33:21.

in them (these gardens) forever, and that is the supreme success. And whoever disobeys Allâh and His Messenger, and transgresses His (set) limits, He will cause him to enter a Fire to abide therein forever, and he will have a disgraceful torment."[1]

And He said:

﴿قُلْ يَٰٓأَيُّهَا ٱلنَّاسُ إِنِّى رَسُولُ ٱللَّهِ إِلَيْكُمْ جَمِيعًا ٱلَّذِى لَهُۥ مُلْكُ ٱلسَّمَٰوَٰتِ وَٱلْأَرْضِ ۖ لَآ إِلَٰهَ إِلَّا هُوَ يُحْىِۦ وَيُمِيتُ ۖ فَـَٔامِنُوا۟ بِٱللَّهِ وَرَسُولِهِ ٱلنَّبِىِّ ٱلْأُمِّىِّ ٱلَّذِى يُؤْمِنُ بِٱللَّهِ وَكَلِمَٰتِهِۦ وَٱتَّبِعُوهُ لَعَلَّكُمْ تَهْتَدُونَ ﴿١٥٨﴾﴾

"Say (Muhammad ﷺ): 'O mankind! Verily, I am the Messenger of Allâh to all of you. (He is) the One to Whom belong the heavens and the earth. There is none worthy of being worshiped but Him. He gives life and causes death.' So, believe in Allâh and His Messenger, the unlettered Prophet who believes in Allâh and His Words, and follow him so that perhaps you may be guided."[2]

And He said:

﴿قُلْ إِن كُنتُمْ تُحِبُّونَ ٱللَّهَ فَٱتَّبِعُونِى يُحْبِبْكُمُ ٱللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ ۗ﴾

"Say (Muhammad ﷺ): 'If you all love Allâh, then follow me, and Allâh will love you and forgive you for your sins.'" [3]

The Verses with this meaning are numerous.

Therefore, my advice to all of you and to myself is to fear Allâh in all situations and be truthful in following His Prophet, Muhammad ﷺ, in his statements and actions so that you will be successful with happiness and salvation in this life and the Hereafter.

O you who are performing *Hajj* to the Sacred House of Allâh! Verily, when it was the 8th of Thul-Hijjah, our Prophet

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[1] *An-Nisa* 4:13-14.
[2] *Al-A'raf* 7:158.
[3] *Aal 'Imran* 3:31.

Muhammad ﷺ set out from Makkah Al-Mukarramah to Mina while saying the *Talbiyyah*. He ordered his Companions to assume *Ihram* with intentions for *Hajj* from their places (in Makkah) and to set out for Mina. He did not command them to make *Tawaf* for leaving Makkah (*Tawaful-Wada'*). This proves that the Sunnah for whoever wants to perform *Hajj* from the people of Makkah, those who are staying in Makkah, those who have removed their *Ihram* after their *'Umrah* and the other people making *Hajj*, to leave for Mina on the 8th day saying the *Talbiyyah* for *Hajj*. They are not required to go to the Sacred Mosque to make *Tawaf* around the *Ka'bah* for leaving Makkah (*Tawaful-Wada'*).

It is recommended for the Muslim when assuming his *Ihram* for *Hajj* to do what he does at the *Miqat* when assuming *Ihram*, such as complete bathing, applying fragrance and cleaning himself. This is as the Prophet ﷺ ordered 'A'ishah ﵂ to do when she wanted to assume *Ihram* for *Hajj*, and she had previously assumed *Ihram* for *'Umrah*, but her menstrual cycle began when entering Makkah. Thus, she was unable to perform the *Tawaf* before leaving to Mina and he ordered her to bathe and assume *Ihram* for *Hajj* (while in Makkah). So, she did that and she combined *Hajj* and *'Umrah* (as *Qiran*).

Indeed the Messenger of Allâh ﷺ and his Companions offered *Az-Zuhr*, *Al-'Asr*, *Al-Maghrib*, *Al-'Isha'* and *Al-Fajr* prayers in Mina. They shortened the (four *Rak'ah*) prayers without combining them (the prayers). This is the Sunnah in following the Prophet ﷺ. It is also Sunnah for the people performing *Hajj* to occupy themselves with saying the *Talbiyyah*, remembering Allâh, reciting the Qur'an and other acts from the aspects of goodness. This includes giving *Da'wah* (i.e., calling others) to Allâh, commanding the good and forbidding the evil, and being kind to the poor.

When the sun rose on the day of *'Arafah*, the Prophet ﷺ and his Companions set out to 'Arafat. Some of them said the *Talbiyyah* and some of them magnified Allâh's Greatness. When he arrived

at 'Arafat, the Prophet ﷺ settled down in a tent made of fur that was set up for him there, and he relaxed under its shade. This proves the permissibility of the *Hajj* pilgrims seeking shade with tents, trees and similar things.

When the sun passed its apex at midday, the Prophet ﷺ mounted his riding animal and gave a sermon (*Khutbah*) to the people. He reminded them and taught them the rites of their *Hajj*. He warned them against *Ar-Riba* (usury and interest dealings) and the deeds of the pre-Islamic days of ignorance. He informed them that their blood, their property and their honors were sacred among them. He commanded them to adhere to the Book of Allâh and the Sunnah of His Messenger ﷺ. He informed them that they would never go astray as long as they adhered to the Book of Allâh and the Sunnah of His Messenger ﷺ.

Thus, it is obligatory upon all of the Muslims and other than them to adhere to this advice and to stand firmly upon it wherever they are. It is obligatory upon all the rulers of the Muslims to hold on to the Book of Allâh and the Sunnah of His Messenger ﷺ, and to judge according to them in all of their affairs. They must also make their nations adhere to seeking judgement in the Islamic law. This is the path of might, honor, happiness and salvation in this life and in the Hereafter. May Allâh help everyone to do this.

Then the Prophet ﷺ led the people in *Az-Zuhr* and *Al-'Asr* prayers, shortening and combining them in the time of the first of them (*Az-Zuhr*) with one *Athan* (before them) and two *Iqamahs* (one for each of them). Then he went to his place of standing and he faced the *Qiblah* and he remained upon his mount remembering Allâh, making supplications to Him and raising his hands in supplication until sunset. He was not fasting that day, so it is known from this that what is legislated for the *Hajj* pilgrims is that they do as he ﷺ did at 'Arafat. They should occupy themselves with the remembrance of Allâh, supplicating and saying the *Talbiyyah* until sunset. They should raise their

hands in supplication and they should not be fasting. Indeed it has been confirmed from the Messenger of Allâh ﷺ that he said:

«مَا مِنْ يَوْمٍ أَكْثَرَ مِنْ أَنْ يُعْتِقَ اللهُ عَزَّوَجَلَّ فِيهِ عَبْدًا مِّنَ النَّارِ، مِنْ يَوْمِ عَرَفَةَ، وَإِنَّهُ "سُبْحَانَهُ" لِيَدْنُو ثُمَّ يُبَاهِي بِهِمُ الْمَلَائِكَةَ»

"There is no single day during which more people are freed from the Fire than the day of 'Arafah. Verily He, the Glorified, draws near and He boasts about them (His servants) to His angels."[1]

It has been reported from him ﷺ that Allâh says to the angels on the day of *'Arafah*:

«أُنْظُرُوا إِلَى عِبَادِي أَتَونِي شُعْثًا غُبْرًا يَّرْجُونَ رَحْمَتِي أَشْهِدُكُمْ أَنِّي قَدْ غَفَرْتُ لَهُمْ»

"Look at My servants. They have come to Me, disheveled and dusty, seeking My Mercy. I call you all to witness that verily I have forgiven them."[2]

It has been authenticated from him that he ﷺ said:

«وَقَفْتُ هَاهُنَا وَعَرَفَةُ كُلُّهَا مَوْقِفٌ»

"I have stood here and all of 'Arafat is a place of standing."[3]

Then, after sunset, the Messenger of Allâh ﷺ set out to Muzdalifah while saying the *Talbiyyah*, and he prayed *Al-Maghrib* with three *Rak'ahs* and *Al-'Isha'* with two *Rak'ahs* there (at Muzdalifah). This was done with one *Athan* and two *Iqamahs*. Then he spent the night there and prayed *Al-Fajr* there along with its *Sunnah* prayer (before it), with one *Athan* and one *Iqamah*. Then he went to Al-Mash'ar (the Sacred Site) and remembered Allâh there, declared His Greatness and His Oneness, and supplicated while raising his hands. He said:

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[1] Muslim no. 1348.
[2] Ibn Khuzaymah no. 2840 and Ibn Hibban no. 1006.
[3] Muslim no. 1218.

«وَقَفْتُ هَاهُنَا وَجَمْعٌ كُلُّهَا مَوْقِفٌ»

"I have stood here, and all of Jam' (i.e., Muzdalifah) is a place of standing."[1]

This proves that all of Muzdalifah is a place of standing for the *Hajj* pilgrims. Each pilgrim spends the night at his place and he remembers Allâh and seeks His forgiveness at his place. There is no need for him to go to the standing place of the Prophet ﷺ. The Prophet ﷺ permitted the weak people to leave during the night of Muzdalifah back to Mina during the night. This proves that there is no sin upon the weak among the women, the sick people, the elderly, and whoever is required to accompany them to leave from Muzdalifah going back to Mina during the last half of the night. This is in acting according to the concession and avoiding hardship and crowding. It is also permissible for them to throw their pebbles at the stone pillar during the night, as is confirmed from Umm Salamah and Asma' bint Abu Bakr ﷺ. Asma' bint Abu Bakr ﷺ mentioned that the Prophet ﷺ permitted that for the women.

Then, after it when there was sufficient light, he moved to Mina while saying the *Talbiyyah* and heading for *Jamratul-'Aqabah* (the largest stone pillar). He stoned it with seven pebbles while declaring Allâh's Greatness (i.e., saying *'Allâhu Akbar'*) with each stone. Then he sacrificed his sacrificial animal. Then he shaved his head. Then 'A'ishah ﷺ applied fragrance to him. Then he set out to the House (the *Ka'bah*) and made *Tawaf* around it. The Prophet ﷺ was asked on the day of Sacrifice (the 10th of Thul-Hijjah) about the person who slaughtered before stoning the pillar, the person who shaved his head before slaughtering, and the one who made the *Tawaf* around the House before stoning. So, he said (about all of that):

«لَا حَرَجَ»

"No problem."

[1] Muslim no. 1218.

The narrator of this *Hadith* said that he was not asked about anything being done early or late on that day except that he said:

«افْعَلْ وَلَا حَرَجَ»

"Do it and there is no harm (in that)."

A man asked him: "O Messenger of Allâh, I performed *Sa'y* before performing *Tawaf*." The Prophet ﷺ said:

«لَا حَرَجَ»

"No problem."

Thus, it is known by this that the Sunnah for the *Hajj* pilgrims is to begin with stoning the pillar on the day of the *'Eid*, then sacrifice an animal if they are obligated to do so, and then shave their heads or shorten their hair. Shaving the head is better than shortening the hair, for verily, the Prophet ﷺ prayed for forgiveness and mercy three times for those who shaved their heads. However, he only prayed once for those who shorten their hair. With this, the pilgrim achieves the first step of leaving *Ihram*. Thus, he wears sewn garments, he applies fragrances, and everything is permissible for him that was forbidden during *Ihram*, except having sex with women. Then he goes to the House (the *Ka'bah*) and performs *Tawaf* around it either on the day of the *'Eid* or after it. He also performs *Sa'y* between As-Safa and Al-Marwah if he was performing *Hajjut-Tamattu'*. With this, everything becomes lawful for him that was forbidden during *Ihram*, even having sex with women. However, if he was performing *Hajjul-Ifrad* or *Hajjul-Qiran*, his first *Sa'y* suffices him that he made when he performed the *Tawaf* of Arrival. If he did not perform *Sa'y* with the *Tawaf* of Arrival, he must perform *Sa'y* with *Tawaful-Ifadhah* (*Tawaf* for returning to Makkah after *'Arafah*).

Then he ﷺ went back to Mina and he remained there for the rest of the day of *'Eid*, the 11th, the 12th and the 13th of Thul-Hijjah. He threw pebbles at the stone pillars every day during

the days of *At-Tashreeq* (the 11th, 12th and 13th of Thul-Hijjah) after the sun declined past its apex at midday. He would throw seven pebbles at each stone pillar while declaring Allâh's Greatness (i.e., saying *'Allâhu Akbar'*) with each pebble. He would supplicate while raising his hands after finishing with the first stone pillar and the second stone pillar. He would place the first stone pillar on his left when he supplicated and the second on his right (when supplicating). However, he would not stand for supplications at the third pillar. Then, on the 13th day of Thul-Hijjah, after stoning the pillars, he pushed on (leaving Mina) and settled at Al-Abtah. There he offered *Az-Zuhr*, *Al-'Asr*, *Al-Maghrib* and *Al-'Isha'* prayers. Then he settled in Makkah at the end of the night and led the people in *Al-Fajr* prayer. He then made the Farewell *Tawaf* (*Tawaful-Wada'*) and set out for Al-Madinah after the prayer on the morning of the 14th of Thul-Hijjah. May the best prayers of blessing and peace be upon him from his Lord.

It is known from this that the Sunnah for the *Hajj* pilgrim is to do as he ﷺ did during the days of Mina. Thus, he should stone the three pillars after the sun declines from its apex at midday during each day. He should stone each one with seven pebbles and declare Allâh's Greatness with each pebble. It is legislated for him to stand for supplications after stoning the first pillar. He should face the *Qiblah* while raising his hands and supplicating, and he should place the pillar on his left side. After stoning the second pillar he should stand for supplications in the same manner and place the pillar on his right side. This is recommended and it is not obligatory. However, he should not stand for supplicating after stoning the third pillar. If it is not easy for him to stone the pillars after midday and before sunset, he may stone it for that day at night until the end of the night according to the most correct view of the two opinions of the scholars. This is a mercy from Allâh upon His servants and a way of easing matters upon them. Whoever wishes to leave on the 12th day after stoning the pillars, there is no harm in that. Whoever wants to stay until stoning the pillars on the 13th day,

then that is better, as it agrees with action of the Prophet ﷺ. It is Sunnah for the *Hajj* pilgrim to spend the night in Mina during the nights of the 11th and 12th of Thul-Hijjah. According to many of the people of knowledge this spending of the night is obligatory. It suffices to spend most of the night there (in Mina) if that is easy. Whoever has an Islamically legislated excuse, like the messengers and shepherds and similar people (whose jobs require them not to stay in Mina), then spending the night there is not obligatory on them. Concerning the 13th night, it is not obligatory upon the *Hajj* pilgrims to spend the night in Mina if they are in a hurry to leave and they set out before sunset. However, whoever is caught by night in Mina, then he must spend the 13th night there and stone the pillars after midday on the 13th. Then he may leave. No one is obligated to stone the pillars after the 13th, even if they stay in Mina.

When the *Hajj* pilgrim wishes to travel to his homeland, he must make *Tawaf* around the House (the *Ka'bah*) for leaving. He makes seven trips around the *Ka'bah*. This is due to the Prophet's statement:

«لَا يَنْفِرَنَّ أَحَدٌ مِّنْكُمْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"None of you should leave until he makes his last act at the House (the Ka'bah, i.e., Tawaf)."[1]

However, the menstruating woman and the woman with postnatal bleeding are not obligated to perform the Farewell *Tawaf*. This is due to what is confirmed from Ibn 'Abbas ﷺ that he said, "The people were ordered that their last act be at the House (i.e., *Tawaf*), but the matter was eased (i.e., not stipulated) for the menstruating woman."

Whoever delays the *Tawaf* of *Al-Ifadhah* (for returning to Makkah after 'Arafat) and he performs *Tawaf* when he is ready to travel, that suffices him for *Al-Wada'*. This is due to the generality of the two mentioned *Hadiths*. I ask Allâh that He

[1] Muslim no. 1327.

help everyone to do what pleases Him and that He accepts (our *Hajj*) from you and us. I ask Him to make you and us from those who are freed from the Fire. Verily, He is in control of that and capable of doing it. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

His Eminence also gave another Statement of Advice to the *Hajj* Pilgrims. The following is the Text of his Statement:

From 'Abdul-'Aziz bin 'Abdullah bin Baz to whoever sees it of the Muslims - may Allâh help them to do that which contains His Pleasure, *Aameen*.

Peace be upon you and the mercy and blessings of Allâh. To proceed:

Indeed Allâh has made cooperating in righteousness and piety and advising every Muslim obligatory. It has reached me from some of the brothers that some of the *Hajj* pilgrims who are present in Mina annoy their neighbors with smoking and songs. There is no doubt that annoying the Muslims is from the well known forbidden acts in the religion. This is as Allâh said:

﴿وَٱلَّذِينَ يُؤْذُونَ ٱلْمُؤْمِنِينَ وَٱلْمُؤْمِنَٰتِ بِغَيْرِ مَا ٱكْتَسَبُوا۟ فَقَدِ ٱحْتَمَلُوا۟ بُهْتَٰنًا وَإِثْمًا مُّبِينًا ﴿٥٨﴾﴾

"And those who annoy the believing men and the believing women undeservedly, they bear (on themselves) the crime of slander and plain sin."[1]

If the annoyance is by smoking or turning on the radio or tape players with songs, then the harm is even greater and the sin is even more severe. This is because singing is forbidden, and likewise, smoking is from the forbidden things that are harmful to the religion, the worldly affairs and the health. Indeed Allâh said:

﴿وَمِنَ ٱلنَّاسِ مَن يَشْتَرِى لَهْوَ ٱلْحَدِيثِ لِيُضِلَّ عَن سَبِيلِ ٱللَّهِ﴾

"And among mankind there are those who purchase idle talks

[1] *Al-Ahzab* 33:58.

(i.e., music, singing) to mislead (people) from the path of Allâh."[1]

Most of the scholars said that the meaning of 'idle talks' is singing and musical instruments.

Also, Allâh said:

﴿يَسْـَٔلُونَكَ مَاذَآ أُحِلَّ لَهُمْ ۖ قُلْ أُحِلَّ لَكُمُ ٱلطَّيِّبَٰتُ﴾

"They ask you what He (Allâh) has made lawful for them. Say, 'He has made lawful for you the good things.'" [2]

He (Allâh) said in describing His Prophet ﷺ:

﴿وَيُحَرِّمُ عَلَيْهِمُ ٱلْخَبَٰٓئِثَ﴾

"And he forbids for them the Khaba'ith (i.e., all evil and unlawful things, deeds, beliefs, foods and persons)."[3]

Thus, the Supreme Master (Allâh) explained that only the good things are lawful for His servants, and His Prophet ﷺ only allowed the good things for his *Ummah*. These are the beneficial things that are not harmful. However, cigarettes are from the things that are harmful and disgusting. Those who are familiar with cigarette smoking among the doctors and others have agreed that it is harmful to the health, having bad consequences and a foul odor.

May Allâh help all to understand the religion and be firm upon it, and may He protect everyone from the evil prompting of Satan.

Peace be upon you and the mercy and blessings of Allâh.

The General President for the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance

'Abdul-'Aziz bin 'Abdullah bin Baz

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[1] *Luqman* 31:6.
[2] *Al-Ma'idah* 5:4.
[3] *Al-A'raf* 7:157.

It is obligatory to perform *Hajj* as soon as possible

Q When is *Hajj* obligatory and what is the proof that it must be performed as soon as possible or that it may be delayed?

A According to the correct view, *Hajj* was made obligatory during the 9th year after the *Hijrah*, and it was the year of the delegations during which *Surat Aal 'Imran* was revealed. This *Surah* contains the Statement of Allâh, the Most High:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And pilgrimage (Hajj) to the House (the Ka'bah) for Allâh is a duty upon mankind, for whoever is able to find a way there."[1]

This Verse is a proof that it is obligatory to perform it as soon as possible. For verily, the command necessitates haste. Ahmad and the *Sunan* compilers recorded from the Prophet ﷺ that he said:

«تَعَجَّلُوا إِلَى الْحَجِّ - يَعْنِي الْفَرِيضَةَ - فَإِنَّ أَحَدَكُمْ لَا يَدْرِي مَا يَعْرِضُ لَهُ»

"Make haste in performing Hajj - meaning the obligatory Hajj - for verily one of you does not know what will happen to him."[2]

In another narration he said:

«مَنْ أَرَادَ الْحَجَّ فَلْيَتَعَجَّلْ فَإِنَّهُ قَدْ يَمْرَضُ الْمَرِيضُ، وَتَضِلُّ الرَّاحِلَةُ، وَتَعْرِضُ الْحَاجَةُ»

"Whoever wants to make Hajj, let him make haste. For verily, the sick person may be ill, the riding animal may get lost and needs will occur."[3]

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[1] *Aal 'Imran* 3:97.
[2] Ahmad 1:314.
[3] Ibn Majah no. 2883 and Ahmad 1:355.

Ash-Shafi'i held the view that it could be performed at one's leisure, because the Prophet ﷺ delayed it until the 10th year (AH). However, the reply to this is that he did not delay it more than one year, and he wanted to purify the House (the *Ka'bah*) from the polytheists and the *Hajj* of the naked people and the innovations. Then, when it was purified (of these vices), he performed *Hajj* during the following year. Based upon this, it is obligatory to make haste in performing *Hajj* due to fear of death (i.e., dying before hand), in which case the person will be considered lax by delaying it. A *Hadith* has been reported which states:

«مَنْ مَّلَكَ زَادًا وَرَاحِلَةً تُبَلِّغُهُ إِلَى بَيْتِ اللهِ وَلَمْ يَحُجَّ فَلَا عَلَيْهِ أَنْ يَّمُوتَ يَهُودِيًّا أَوْ نَصْرَانِيًّا»

"Whoever owns provisions and a riding animal (i.e., transportation) and he does not perform Hajj, then he does not mind dying as a Jew or a Christian."[1]

Ash-Shaykh Ibn Jibreen

Conditions for the obligation of *Hajj*

Q What are the conditions for the obligation of *Hajj* ?

A The conditions for its obligation are five. They are Islam, sanity, puberty, freedom and ability. Thus, it is not correct for a disbeliever to perform *Hajj* and his *Hajj* is not accepted due to the absence of its condition, and the condition of all acts of worship, which is Islam. The insane person is not required to perform *Hajj* and his *Hajj* is not accredited to him. In reference to the child who has not reached puberty, his *Hajj* is correct and his guardian is rewarded for it. Therefore, he gets reward for that. However, this *Hajj* does not suffice him for the obligatory *Hajj*. He is required to perform the *Hajj* of Islam after

[1] At-Tirmithi no. 812.

puberty. In reference to the slave who is owned, he is not required to perform *Hajj*, even if it is the obligatory *Hajj*, because he is busy with serving his master. However, if he does so, it is valid and he is rewarded for it. In reference to the ability, Allâh has only made *Hajj* obligatory on whoever has the ability to make it there. Ability has been explained as possessing provisions and transportation that are suitable for someone like him after fulfilling his basic needs and the needs of his family until he returns from his *Hajj*. These are the conditions in general. There is a sixth condition that some of the scholars have added, which is safety of the way there. However, this probably is included in the condition of ability. There is another condition that is specifically regarding women, which is the presence of the woman's *Mahram* (male relative whom she is forbidden to marry or her husband).

Ash-Shaykh Ibn Jibreen

What is legislated for whoever wants to perform *Hajj* and *'Umrah*

Q What is legislated for whoever wants to perform *Hajj* and *'Umrah*?

A Whoever decides to undertake a long journey for *Hajj* or anything else, it is legislated for him to pay off his current debts or to seek the permission of those to whom he owes debts if he knows that they are eager and anxious in requesting their payment. Then, he should write down his bequests and whatever he is responsible for and his wealth or whatever he owes. Then, he should offer the prayer of *Al-Istikharah*, seeking from his Lord that He chooses for him what is most beneficial and correct. Then he should go ahead with whatever his heart feels comfortable with. He should choose righteous companions from the people of knowledge and the religion (to travel with) and he should bring books of knowledge with him that he can benefit from concerning the acts of *Hajj* and other things, and

that will benefit his brothers. He should gather an abundance of wealth, money and provisions so that he can take care of himself or his brothers if there is a need. He should bid farewell to his family and his friends when leaving on the journey. Each of them should say, "I entrust your religion, your trusts (i.e., which have been entrusted to someone) and your final deeds in the care of Allâh." He should strive to make his deed solely for Allâh. He should not want anything with his *Hajj* or *'Umrah* other than the Face of Allâh. In this way he will not be harmed by whoever praises him or rebukes him. Then he should strive to make sure that his spending is from good and lawful earnings. During his travel, in both going and coming, he should strive to perform voluntary acts of worship and the obligations of the religion. He should benefit his brothers and get benefit from the people of knowledge. He should strive to complete the obligations of *Hajj* and *'Umrah*, and whatever he is able to do of the *Sunan* (plural of *Sunnah*) and the righteous deeds. This should be done with the hope of increase in the deeds (i.e., in their blessings). And Allâh knows best.

Ash-Shaykh Ibn Jibreen

What is obligatory upon the Muslim during *Hajj*

Q What is obligatory upon the Muslim during the performance of the obligation of *Hajj* ? Is it permissible for him to busy himself with other matters that are outside the realm of worship?

A It is obligatory upon him to be mindful of what Allâh has made obligatory upon him. This includes strictly guarding the performance of the prayers in their proper times in congregation, commanding the good and forbidding the evil, calling to Allâh with wisdom and good preaching and avoiding what Allâh has made forbidden for him. This is due to Allâh's Statement:

﴿فَمَن فَرَضَ فِيهِنَّ ٱلْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِى ٱلْحَجِّ﴾

"So, whoever intends to perform Hajj therein (by assuming Ihram), then he should not have sexual relations (with his wife), nor commit sin, nor argue unjustly during the Hajj."[1]

And there is the statement of the Prophet ﷺ:

«مَنْ حَجَّ للهِ فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ رَجَعَ كَيَوْمِ وَلَدَتْهُ أُمُّهُ»

"Whoever performs Hajj and he does not have sexual relations (with his wife) or commit sins, he will return (after Hajj) like the day that his mother gave birth to him (i.e., without sin)."[2]

The word '*Rafth*' means to have sexual intercourse while in *Ihram* and those things that lead to it from speech and actions. The word '*Fusuq*' means all acts of disobedience. This is also because the obligation upon the Muslim in every time and place is that he fears Allâh, strictly observes that which Allâh has made obligatory upon him and avoids what Allâh has made forbidden for him. Hence, if he is in the Sacred Land of Allâh and involved in performing the rites of *Hajj*, then the obligation upon him is even greater and more severe. His sin in doing what Allâh has forbidden for him is even greater and more serious. It is permissible for him to buy and sell and other things from that which Allâh has allowed for him of statements and deeds. This is due to Allâh's Statement:

﴿لَيْسَ عَلَيْكُمْ جُنَاحٌ أَن تَبْتَغُوا فَضْلًا مِّن رَّبِّكُمْ﴾

"There is no sin on you all that you seek some bounty (i.e., business and trade) from your Lord."[3]

Ibn 'Abbas ﷺ and others said in explaining this Verse: "This means during the times of *Hajj*." This is from the bounty of Allâh and His mercy, and it is part of His easing matters for His servants and being kind to them. For verily, the *Hajj* pilgrim is in need of this. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

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[1] *Al-Baqarah* 2:197.
[2] Al-Bukhari no. 1521 and Muslim no. 1350.
[3] *Al-Baqarah* no. 2:198.

The meaning of *'Ar-Rafth'*, *'Al-Fusuq'* and *'Al-Jidal'* during *Hajj*

Allâh the Most High says:

﴿ٱلْحَجُّ أَشْهُرٌ مَّعْلُومَٰتٌ ۚ فَمَن فَرَضَ فِيهِنَّ ٱلْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِى ٱلْحَجِّ﴾

"The Hajj is during well-known months (Shawwal, Thul-Qa'dah and the first 10 days of Thul-Hijjah), so whoever intends to perform Hajj therein (by assuming Ihram), then he should not have sexual relations (with his wife), nor commit sin, nor argue unjustly during the Hajj."[1]

O honorable Shaykh, what is meant by the words *'Ar-Rafth'*, *'Al-Fusuq'* and *'Al-Jidal'* that are prohibited? Does the person invalidate his *Hajj* who argues or gets too involved with trivial matters during *Hajj*?

The people of knowledge have explained the term *'Ar-Rafth'* as sexual intercourse and whatever leads to it. They have explained the term *'Al-Fusuq'* as meaning acts of disobedience (i.e., sins). In reference to *'Al-Jidal'*, they have explained it as arguing and disputing without any benefit or concerning that which Allâh has clarified and explained to His servants, therefore there is no need for arguing about it. The arguing that has been prohibited includes all arguments that annoy the *Hajj* pilgrims and harm them or that disturb the peace. It also includes arguments that are intended to call to falsehood or hinder the truth. However, arguing in a way that is best to clarify the truth and nullify falsehood is legislated and it is not included in the prohibited form of arguing.

All of these three things do not nullify the *Hajj*, except for sexual intercourse if it occurs before the first stage of removing the *Ihram*. However, all of these things lessen *Hajj* and its reward,

[1] *Al-Baqarah* 2:197.

just as they lessen the faith and weaken it.

Therefore, it is obligatory on the *Hajj* pilgrim and the person performing *'Umrah* to avoid this, due to obedience to Allâh and a desire to perfect his *Hajj* and *'Umrah*.

Ash-Shaykh Ibn Baz

Whoever abandons *'Ar-Rafth'* and all acts of disobedience during *Hajj*, will have his sins forgiven

A *Hadith* has been reported which states:

«مَنْ حَجَّ فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ رَجَعَ كَيَوْمِ وَلَدَتْهُ أُمُّهُ»

"Whoever performs Hajj and he does not have sexual relations (with his wife) or commit sins, he will return (after Hajj) like the day that his mother gave birth to him (i.e., without sin)."[1]

Based upon this *Hadith*, is the *Hajj* considered the expiation for all of the sins and evil deeds that the person did before the *Hajj*?

This *Hadith* is among the most authentic *Hadiths* from the Messenger of Allâh ﷺ. It contains good news for the believer if he performs the *Hajj* in the mentioned manner. For verily, Allâh will forgive all of his sins, because when he abandons sexual intercourse and sins, he has indeed made sincere repentance, and the person who repents is promised forgiveness. *'Ar-Rafth'* is sexual intercourse while in the state of *Ihram* and whatever leads to sexual intercourse of statements and actions. *'Al-Fusuq'* is all acts of disobedience (i.e., sins). Therefore, whoever abandons *Ar-Rafth* and all sinful acts of disobedience during his *Hajj*, his sins are forgiven. *Al-Fusuq* also includes persisting in disobedient sins. Whoever persists in his sin, then he has not abandoned *Al-Fusuq*. Therefore, this promise is not fulfilled for him. This *Hadith* is like the Prophet's statement in another *Hadith*:

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[1] Al-Bukhari no. 1521 and Muslim no. 1350.

«وَالْحَجُّ الْمَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلَّا الْجَنَّةُ»

"The Mabrur Hajj has no reward other than Paradise."[1]

It is *Mabrur* when a person perfects the performance of the obligations, abandons the sinful acts of disobedience and does not persist in any of them. Hence, it is obligatory upon the believer, whether he is a *Hajj* pilgrim or not, to avoid all of the sinful acts of disobedience and make haste in repentance to Allâh from them. He must abandon them and be truly determined not to repeat them due to honoring Allâh and desiring what is with Him.

From the perfection of repentance if it is concerning the right of the creation (i.e., another person) is that he (the transgressor) gives him his right or seeks to free himself from any obligation owed to him. Allâh said:

﴿وَتُوبُوٓاْ إِلَى ٱللَّهِ جَمِيعًا أَيُّهَ ٱلْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ ﴿٣١﴾﴾

"And all of you repent to Allâh, O believers, so that perhaps you may be successful."[2]

And He said:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ تُوبُوٓاْ إِلَى ٱللَّهِ تَوْبَةً نَّصُوحًا عَسَىٰ رَبُّكُمْ أَن يُكَفِّرَ عَنكُمْ سَيِّـَٔاتِكُمْ وَيُدْخِلَكُمْ جَنَّٰتٍ تَجْرِى مِن تَحْتِهَا ٱلْأَنْهَٰرُ﴾

"O you who believe, repent to Allâh with sincere repentance. Perhaps your Lord will expiate your sins from you and enter you into Gardens with rivers flowing beneath them."[3]

Thus, whoever sincerely repents, has succeeded and Allâh will expiate his sins and enter him into Paradise. We ask Allâh to help the Muslims among the *Hajj* pilgrims, and others as well, to make sincere repentance and stand firmly upon the truth.

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[1] Al-Bukhari no. 1773 and Muslim no. 1349.
[2] *An-Nur* 24:31.
[3] *At-Tahrim* 66:8.

Verily, He is All-Hearing and Most Near.

Ash-Shaykh Ibn Baz

Crowding during *Hajj*

Q The people intentionally crowd together while performing some of the sacred acts of *Hajj*. Is the *Hajj* of these people correct or invalid?

A Their *Hajj* is not invalidated due to crowding, however, they are committing a sin if they do so intentionally without any need to do so. This is due to what it (crowding) contains of oppression and harm to the *Hajj* pilgrims, and it discourages them from performing the *Hajj*. However, if a person is forced (to crowd) against his will, but rather due to the crowding of others against him, there is no sin on him, if Allâh wills. This is due to the Statement of Allâh:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able."[1]

And His Statement:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allâh does not burden a soul except with what it can bear."[2]

And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Stipulating a condition is Sunnah for whoever fears

Q If the person who has assumed *Ihram* fears that he will not be able to perform his rites due to illness or fear (of something preventing him), what should he do?

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[1] *At-Taghabun* 4:16.
[2] *Aal 'Imran* 3:97.

When he assumes *Ihram* he should say: "If something prevents me, then my place of removing *Ihram* is wherever You stop me." If the person fears something of the things that would prevent him from completing the *Hajj*, like illness, then the Sunnah is that he makes the stipulation. This is due to what is confirmed from the Prophet ﷺ that he ordered Dhuba'ah bint Az-Zubair bin 'Abdul-Muttalib to do so when she complained to him that she was sick.

Ash-Shaykh Ibn Baz

The *Hajj* of a Child

Assuming *Ihram* with a Child

If a child is unable to perform the *Tawaf* by himself, is it correct to carry him and perform *Tawaf* with him? Does the child have to make expiation if he does not fulfill something from the conditions of *Hajj*?

Since it is correct for the child to assume *Ihram*, the guardian is responsible for him. Thus, he makes the child wear the garments (of *Ihram*) and he makes sure he enters into the state of *Ihram*. He also makes the intention for him of the type of *Hajj* he is going to perform and he says the *Talbiyyah* on behalf of him. He should hold the child's hand during the *Tawaf* and the *Sa'y*, and if the child is unable (to walk), like an infant or a breast-feeding child, then there is no harm in carrying him. In the case of a small child, it is sufficient to perform one *Tawaf* (i.e., 7 trips around the *Ka'bah*) for the carrier and the one being carried according to the correct opinion. If the child does something forbidden due to ignorance, like wearing some clothing (forbidden to the *Hajj* pilgrim) or covering his head, there is no ransom (of slaughtering a sheep) due, as it was done unintentionally. If the act was done intentionally, like a need to wear some clothing due to cold weather and similar things, then his guardian gives the ransom (of slaughtering a sheep) on his

behalf.

Ash-Shaykh Ibn Jibreen

If a Child enters puberty during the *Hajj*

Q I performed *Hajj* with my family when I was a child. Then, on the 8th day of Thul-Hijjah I had a wet dream. So, I performed complete bathing, put on my *Ihram* clothes and completed my *Hajj*. Then, after 7 years I asked about this *Hajj* of mine and was it sufficient or not, and I heard that it did not suffice. I would like to perform *Hajj* on behalf of my mother who died and she only performed *Hajj* once. Will my *Hajj* on her behalf be acceptable or do I have to perform *Hajj* for myself first and then for her?

A Whenever the child enters puberty during *Hajj* at 'Arafat or before it, and during *'Umrah* before making its *Tawaf*, that act suffices him for fulfilling the obligation. Since the questioner had a wet dream on the 8th day and he assumed *Ihram* and stood at 'Arafat afterwards, then his *Hajj* suffices for fulfilling the obligation. This is because he reached 'Arafat after entering puberty. Thus, he counts that *Hajj* on behalf of himself and he may perform *Hajj* on behalf of his mother or someone other than her, and that is acceptable from him. Perhaps, if Allâh wills, afterwards he can repeat the *Hajj* for himself, his parents and whomever he wishes.

Ash-Shaykh Ibn Jibreen

The Woman's *Hajj*

The Woman who does not have a *Mahram* is not obligated to perform the *Hajj*

Q There is a woman from Saba' who is known for her righteousness and she is middle-aged or closer to being elderly. She would like to perform her obligatory *Hajj* of

Islam, but she does not have a *Mahram*. From the prominent people of the land there is a man who intends to perform *Hajj*, and he is known for his righteousness. He also has women with him from his female relatives. Is it correct for this woman to perform *Hajj* with this good man and his women relatives — with her being with the women and the man looking after her, or is the obligation of *Hajj* removed from her because she has no *Mahram*? Along with this it is important to note that she is financially able (to perform *Hajj*). Please give us a ruling — may Allâh bless you — because we have fallen into differing with some of the brothers.

The woman who does not have a *Mahram* is not obligated to perform *Hajj*. This is because in reference to her the *Mahram* is included in 'a way there', and the ability to get there is a condition concerning the obligation of *Hajj*. Allâh said:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allâh, those who can find a way there."[1]

It is not permissible for her to travel for *Hajj* or anything else except with her husband or her *Mahram*. This is due to what Al-Bukhari recorded that the Prophet ﷺ said:

«لَا يَحِلُّ لِامْرَأَةٍ تُؤْمِنُ بِاللهِ وَالْيَوْمِ الآخِرِ، تُسَافِرُ مَسِيرَةَ يَوْمٍ وَلَيْلَةٍ، إِلَّا مَعَ ذِي مَحْرَمٍ عَلَيْهَا»

"It is not permissible for a woman to travel a distance of a day and a night except with her Mahram."[2]

This is also due to what Al-Bukhari and Muslim recorded from Ibn 'Abbas ﷺ that he heard the Prophet ﷺ saying:

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[1] *Aal 'Imran* 3:97.

[2] Al-Bukhari no. 1088 and Muslim no. 1339.

«لَا يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلَّا وَمَعَهَا ذُومَحْرَمٍ، وَلَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

"A man should not be alone with a woman except if she has a Mahram with her and the woman does not travel except with her Mahram.'

Then, a man stood up and said, "O Messenger of Allâh, verily my wife set out to perform *Hajj* and I have been enlisted in such and such expedition." The Prophet ﷺ said:

«اِنْطَلِقْ فَحُجَّ مَعَ امْرَأَتِكَ»

"Then go and perform Hajj with your wife."[1]

This was the view of Al-Hasan, An-Nakha'i, Ahmad, Ishaq, Ibn Al-Munthir and the People of Opinion (*Ashabur-Ra'y*), and it is the correct view as it agrees with the generality of the *Hadiths* that prohibit the woman from traveling without a husband or a *Mahram*. This opinion was opposed by Malik, Ash-Shafi'i and Al-Awza'i. However, each of them stipulated a condition that he had no proof for. Ibn Al-Munthir said: "They abandoned the view that is in accordance with the obvious meaning of the *Hadith* and each of them stipulated a condition that he had no proof for."

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The ruling on the Woman traveling alone for *Hajj* without a *Mahram*

Q A woman says: "My mother is in Morocco and I work in Saudi Arabia. I want to send for her so that she can

[1] Al-Bukhari no. 5233 and Muslim no. 1341.

come and perform the obligation of *Hajj*. However, she does not have a *Mahram*, because my father died and my brothers are not able to go to perform the obligation of *Hajj*."

It is not permissible for her to come alone for *Hajj* due to the statement of the Prophet ﷺ:

«لَا تُسَافِرِ الْمَرْأَةُ إِلَّا مَعَ ذِي مَحْرَمٍ»

"A woman does not travel except with her Mahram."

The Prophet ﷺ said this while he was addressing the people. Then a man stood up and said, "O Messenger of Allâh, verily my wife set out to perform *Hajj* and I have been enlisted for such and such expedition." The Prophet ﷺ said:

«اِنْطَلِقْ حُجَّ مَعَ امْرَأَتِكَ»

"Then go and perform Hajj with your wife."[1]

If the woman does not have a *Mahram*, it is not obligatory upon her to perform *Hajj*. This means that either the obligation is removed from her due to the lack of ability to reach Makkah - and lack of ability is a legislated inability - or it is not obligatory upon her to perform it, meaning that if she dies whoever she leaves behind performs it for her.

Anyway, I say to the questioner that the woman has not committed a sin if she dies without performing *Hajj* due to not having a *Mahram*. That does not harm her because she is excused and unable according to the religion. Indeed Allâh, the Most High, said:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allâh, those who can find a way there."[2]

Ash-Shaykh Ibn 'Uthaimin

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[1] Al-Bukhari no. 1862 and Muslim no. 1341

[2] *Aal 'Imran* 3:97.

A Woman wants to perform *Hajj* and her Husband prevents her

I am an elderly woman who is wealthy. I have presented more than once the request to my husband to perform *Hajj*, but he refuses to allow me to perform *Hajj* without a reason. I have an older brother who wants to perform *Hajj*. Can I perform *Hajj* with him even though my husband has not given me permission or should I leave off the *Hajj* and stay in my country out of obedience to my husband? Please give me a ruling, and may Allâh reward you with good.

As *Hajj* is obligatory as soon as possible when its conditions are fulfilled, and because this woman is responsible, able and she has a *Mahram*, it is obligatory upon her to make haste in performing the *Hajj*. It is forbidden for her husband to prevent her without a reason.

In this situation that has been mentioned it is permissible for her to perform *Hajj* with her brother, even if her husband does not agree. This is due to the incumbent nature of the obligation, just like the incumbent nature of the prayer and fasting. Thus, the Right of Allâh is more deserving to be fulfilled first and there is no right for this husband who is preventing his wife from performing the obligation of *Hajj* without any just reason. And Allâh is the Giver of success and the Guide to the correct path.

Ash-Shaykh Ibn Jibreen

The ruling on the *Hajj* of a Wife without the permission of her Husband

Is the *Hajj* of the wife correct without the permission of her husband, and if the husband gives his wife permission to perform *Hajj* does he have the right to change his mind concerning that permission? Does he have the right to prevent her from performing the *Hajj*?

A It is not permissible for the man to prevent his wife from performing the obligatory *Hajj* if all of its conditions are fulfilled and she is easily able to perform it. For verily the *Hajj* is obligatory as soon as possible and it is not permissible to delay it while having the ability to perform it. It is recommended that the woman seek her husband's permission concerning that. If he gives her permission, that is good, and if not, she may go out to perform it without his permission. If he gives her permission to go, it is not allowed for him to take back his permission. In reference to a voluntary performance of *Hajj*, he may prevent her from that and it is not allowed for her to perform a voluntary *Hajj* without his permission, as it is not incumbent. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

The ruling on whoever performs *Hajj* with his Women, and a Woman who is without a *Mahram* accompanies them

Q I performed *Hajj* with my women (i.e., female relatives, wives, etc.) and an elderly woman came along with them who did not have a *Mahram*. I spent money on her until she performed the rites of *Hajj* and returned to her country while being with my women. Have I committed a sin in that?

A As this woman is extremely old in age, and this questioner mentioned that he had some women with him and this elderly woman became one of them, and she stayed with them due to a lack of having anyone to care for her, and her ignorance of how to perform the rites of *Hajj*, then he has done an act of good in this matter. And there is no way of blame against those who do good. May Allâh send blessings and peace upon our leader Muhammad, his family and his Companions.

The Permanent Committee

The ruling on the Woman using Pills to prevent Menstruation during the Days of *Hajj*

What is the ruling on the woman using pills that prevent the monthly menstrual cycle during the days of *Hajj*?

There is no harm in that because it contains a benefit and a helpful advantage so that she can perform *Tawaf* with the people and so that she does not lose her group.

Ash-Shaykh Ibn Baz

The *Hajj* of the Person Who Abandons the Prayer

The ruling on the *Hajj* of the Person who does not pray — does it suffice him for the obligatory *Hajj* of Islam?

What is the ruling on the person who performs *Hajj* while he has abandoned the prayer, whether it is intentionally or due to laxity concerning it? Does his performance of *Hajj* suffice him for completing the obligatory *Hajj* of Islam?

Whoever performs *Hajj* while he abandons the prayer, if he does so due to rejecting the obligation of prayer, then he has disbelieved according to the consensus of the scholars and his *Hajj* is not correct. However, if he abandoned it due to being lax about it and heedless of it, then there is a difference of opinion about this among the people of knowledge. Among them there are those who think that his *Hajj* is correct and among them there are those who do not think that his *Hajj* is correct. The correct view is that his *Hajj* is not correct. This is due to the Prophet's statement:

«اَلْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمْ الصَّلَاةُ فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ»

"The covenant that is (a separation) between us and them is the prayer, so whoever abandons it, then he has disbelieved."[1]

There is also his statement:

«بَيْنَ الرَّجُلِ وَبَيْنَ الشِّرْكِ وَالْكُفْرِ تَرْكُ الصَّلَاةِ»

"Between the man and disbelief and associating partners with Allâh is the abandonment of the prayer."[2]

This includes whoever rejects its obligation and it includes whoever abandons it due to being lax about it. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling concerning whoever performed *Hajj* and he prays, then he abandons the Prayer after that

Q O noble Shaykh! Due to difficult circumstances and against my desire, I traveled to a foreign land during the middle of Ramadhan and I was fasting during the first half of it in my country. Then, when I traveled I stopped fasting and praying for a period of 15 days, which was the period of my stay in that land. During that time I was saying that these people have impurity with them and it is not permissible to use their items and utensils. Likewise, I did not know the direction of the *Qiblah* and I would not eat or drink their drinks. My question is does my abandoning the prayer and the fast have an effect on the obligatory *Hajj* which I performed several years ago? Is there a ruling or a ransom that I can give so that Allâh will forgive me for my sins? Please benefit me with an answer, and may Allâh bless you.

[1] At-Tirmithi no 2621. and Ahmad 5:346.
[2] Muslim no. 82.

Your abandoning the prayer and fasting for this period of time does not affect the obligatory *Hajj* that you performed before, because that which nullifies the previous righteous deeds is apostasy if the person dies upon it. This is due to Allâh's Saying:

﴿وَمَن يَرْتَدِدْ مِنكُمْ عَن دِينِهِۦ فَيَمُتْ وَهُوَ كَافِرٌ فَأُوْلَٰٓئِكَ حَبِطَتْ أَعْمَٰلُهُمْ فِى ٱلدُّنْيَا وَٱلْءَاخِرَةِ ۖ وَأُوْلَٰٓئِكَ أَصْحَٰبُ ٱلنَّارِ ۖ هُمْ فِيهَا خَٰلِدُونَ ﴿٢١٧﴾﴾

"And whoever among you apostatizes from his religion (Islam) and he dies while being a disbeliever, then these people's deeds are lost in this life and in the Hereafter. These are the companions of the Fire and they will abide therein forever."[1]

In reference to the acts of disobedience (i.e., sins), they do not nullify the previous righteous deeds. However, they have an effect on these deeds in other aspects if these sins are numerous, and when they are weighed against the good deeds, if the pan of evil deeds weighs more, the person will be punished for them. Based upon this, it is obligatory upon you to repent to Allâh now from abandoning the prayer and increase in your performance of righteous deeds. According to the correct view it is not obligatory upon you to make up for those prayers. In reference to the fasting, your leaving it off was permissible because you were a traveler and the traveler is not obligated to fast. This is due to Allâh's Statement:

﴿وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ﴾

"And whoever is ill or on a journey, then (he may make up for his fast) from a number of other days."[2]

The only thing that is due upon such a person is to make up for the missed fasting. Concerning your statement regarding the reason for your abandoning the prayer being that you did not know the direction of the *Qiblah* and you were not eating their

[1] *Al-Baqarah* 2:217.
[2] *Al-Baqarah* 2:185.

food and drink, this statement of yours is not correct. Meaning your claim that this was the reason that prevented you from offering the prayer is not correct. For verily, it is obligatory upon you to pray according to your ability and to do what is obligatory upon you in your prayer as much as you are able. This is due to Allâh's Statement:

﴿لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allâh does not burden a soul except with what it can bear."[1]

And His Saying:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able."[2]

Also, the Prophet ﷺ said:

«إِذَا أَمَرْتُكُمْ بِشَيءٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

"If I command you to do something, then do as much of it as you are able."[3]

Therefore, if the person is in a place and he does not know the direction of the *Qiblah*, and he does not have someone with him who can inform him of its direction, whose information he trusts, then he prays after trying to determine the direction that seems most likely to him to be the *Qiblah*. He is not required to repeat the prayer after that.

Ash-Shaykh Ibn 'Uthaimin

The Person who dies and he did not pray, *Hajj* is not performed on his behalf

Q I have a relative who died during the month of Ramadhan and before his death he was lax about

[1] *Al-Baqarah* 2:286.
[2] *At-Taghabun* 64:16.
[3] Al-Bukhari no. 7288 and Muslim no. 1337.

offering the prayer and paying *Az-Zakah*. He never performed *Hajj* during his lifetime. Is it permissible to perform *Hajj* on his behalf, and likewise, to pay *Az-Zakah* (for him)?

If he used to pray sometimes and abandon the prayer sometimes, then *Hajj* should not be performed on his behalf and *Az-Zakah* should not be paid for him. His Muslim relatives do not inherit from him. Rather, whatever he left behind is for the public treasury of the Muslims. This is because abandoning the prayer is major disbelief, due to the Prophet's statement:

«اَلْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمْ الصَّلَاةُ فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ»

"The covenant that is (a separation) between us and them is the prayer, so whoever abandons it, then he has disbelieved."[1]

This was recorded by Imam Ahmad and the *Sunan* compilers with an authentic chain of narration. This is also due to the Prophet's statement:

«بَيْنَ الرَّجُلِ وَبَيْنَ الشِّرْكِ وَالْكُفْرِ تَرْكُ الصَّلَاةِ»

"Between the man and disbelief and associating partners with Allâh is abandoning the prayer."[2]

This was recorded by Muslim in his *Sahih*. This point is also based on other evidences from the Book and the Sunnah that prove what we have mentioned.

We ask Allâh to correct the situations of the Muslims and to help them to guard the observance of the prayers and be devout in their performance. We also ask Him to help them to avoid the things that lead to their abandonment. Verily, He is Most Generous, Most Noble.

Ash-Shaykh Ibn Baz

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[1] At-Tirmithi no. 2621 and Ahmad 5:346.
[2] Muslim no. 82.

The Ability to Perform *Hajj*

The meaning of the 'ability' for performing *Hajj*

Q What is the 'ability' in reference to the *Hajj*? Is the person's reward greater when setting out to Makkah Al-Mukarramah or after his return from it? Is the person's reward with Allâh greater if he returns from Makkah to his homeland or to here first where he works?

A The 'ability' in reference to performing *Hajj* is that the person is of healthy body and he possesses the means of transportation that will get him to the Sacred House of Allâh. This could be an airplane or a car or an animal or a taxi, according to the person's situation. It also means that he possesses provisions that will suffice him in going and returning. Also, these provisions must be extra, after what is to be spent on whomever the person is obligated to spend on (i.e., take care of) until he returns from his *Hajj*. It also means that the woman has a husband or her *Mahram* with her during her journey for *Hajj* or *'Umrah*.

In reference to the reward of his *Hajj*, this depends upon the degree of his sincerity to Allâh, what he performs of the *Hajj* rites, his avoiding those things that contradict the perfection of his *Hajj*, what he has spent of wealth and the amount of struggle that he has patiently born. It makes no difference whether he returns (to his land), stays (in Arabia) or dies before completing his *Hajj* or after it. Allâh knows best concerning his situation and He is the One Who is in control of his reward. What is obligatory upon the responsible person is to perform deeds and perfect his deeds. He must make sure that his deeds are in agreement with the Islamic law, outwardly and inwardly. He should treat the matter as if he sees his Lord, and even though he does not see Him, Allâh sees him and is aware of him. The person should not try to find out that which is left to Allâh. For verily He, glory is unto Him and exalted is He above

imperfections, is Most Merciful with His servants. He increases their good rewards for them and He pardons the evil deeds. Your Lord does not wrong anyone. You are responsible for taking care of yourself and leave to Allâh that which is for Allâh, the Judge, the Most Just, the Most Kind and the Most Merciful. And Allâh is the Giver of success.

The Permanent Committee

This is the 'ability'

What is the 'ability' concerning *Hajj* and what are its conditions?

The 'ability' has been explained in the *Hadith* as the person having provisions and the means of transport. It is probably even more general than that. Whoever is able to reach Makkah by any means, he must perform *Hajj* and *'Umrah*. If the person is able to walk and carry his necessary items or he finds someone who can take him, then he must do that. Even if he can get a hired transport from the modern means of transportation, such as steamships, cars and airplanes, then he must perform the *Hajj*. So, if the person finds the provisions and the means of transportation, but he does not have anyone to guard his possessions and his family, or he does not have anyone to spend on his family during the period of his absence, he is not required to perform *Hajj* due to the hardship. Likewise, if the road is dangerous or he fears thieves on the roads or the imposition of unfair taxes or there is not enough time for him to reach Makkah or he is not able to ride the means of transportation due to illness or some harm, he is not required to make *Hajj*. He must then appoint someone to perform *Hajj* on his behalf if he is financially able. If not, then the *Hajj* is not obligatory on him. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

Is it permissible for the Son to perform his obligatory *Hajj* with the Wealth of his Father?

Q I have a son who is approximately 20 years old. I have a car but I do not know how to drive a car and he (my son) is the one who drives. I wanted to perform *Hajj* in my car and at the same time my son can fulfill his obligation (of *Hajj*). He is a student in school. However, he heard that for the person who has not fulfilled his obligation (of *Hajj*), it is not permissible to fulfill it with the wealth of his father. He must work until he makes the value of what his *Hajj* will cost. I am well-off due to the bounty of Allâh. Please benefit me with an answer, and may Allâh reward you all.

A If the son performs his obligation (of *Hajj*) with the wealth of his father, his *Hajj* is correct. It is better for him to make haste in performing the *Hajj* with his father and help in driving the car, because this is a form of kindness and goodness towards his father.

The Permanent Committee

I made an oath to Allâh that I would perform *Hajj* every year, but now I am not able

Q Verily, I made an oath to Allâh that I would perform *Hajj* every year. Before that I was not employed, but now circumstances have forced me to take a job as a soldier, and my superior authority (in the military) will not allow me to perform *Hajj* every year. I hope for a beneficial reply. Is there any sin on me or not?

A If that which prevents you from the *Hajj* during some years is from the compelling matters that you cannot overcome, there is no sin on you. This is due to Allâh's Statement:

﴿لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allâh does not burden a soul except with what it can bear." [1]

There is also Allâh's Statement:

﴿مَا يُرِيدُ ٱللَّهُ لِيَجْعَلَ عَلَيْكُم مِّنْ حَرَجٍ﴾

"Allâh does not want to place any hardship on you all." [2]

And success is from Allâh. May Allâh send blessings and peace upon our leader Muhammad and his Companions.

The Permanent Committee

The need of the Job makes it permissible to delay the *Hajj*

Q For three years I have submitted requests to my employer so that I may perform the obligation of *Hajj*. However, the requests have been denied, as the work needs me. Is there any sin on me for that? Is there any sin on me if I perform *Hajj* without them knowing or without their agreement?

A Yes, as long as you are restrained by someone else against your will, there is no *Hajj* for you until after attaining the agreement of that other person. If the need requires that you stay (and not go for *Hajj*), there is no harm in that until the need goes away, either by someone else filling in for you or by some other method.

Ash-Shaykh Ibn 'Uthaimin

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[1] *Al-Baqarah* no.2:286.
[2] *Al-Ma'idah* 5:6.

The ruling on the *Hajj* of a Worker and a Police Officer without the Permission of their Authorities

Is it permissible for the police officer to perform *Hajj* without the permission of his authorities?

There is absolutely no *Hajj* for the worker and the police officer unless they have the permission of their authorities. It is not permissible for them to perform *Hajj* without the permission of their authorities, because their time is the right of the authority figures. It makes no difference whether the *Hajj* is an obligatory *Hajj* or a voluntary *Hajj*. This is also because the acts of *Hajj* hinder the worker and the police officer from certain things that they are required to do during its time.

Ash-Shaykh Ibn Baz

The ruling on the *Hajj* of a Soldier with his Mother without the Permission of his Authorities

A person says: "I am a soldier with the police and I want to perform *Hajj* with my mother. However, my authorities will not give me permission. Is there any sin on me if I perform *Hajj* with my mother without the permission of my authorities?"

You are an employee at your job, who receives a salary for the work you do. Your leaving the job without permission from your authorities to perform *Hajj* with your mother is an improper action. This is because your responsibility is to be occupied with the assigned work. This responsibility should not be occupied or interrupted with something that is contradictory to what it was previously busy with, unless it is something that has the right to be placed first before that work. For example, if you had not performed your obligatory *Hajj* before, there is nothing wrong with you performing *Hajj* without permission. This is because *Hajj* is something that you were responsible for

before you became responsible for this government work. From this it is known that it is not permissible for you to perform *Hajj* with your mother without permission. It is also safer to seek permission (for *Hajj*) if you have not performed your obligatory *Hajj* before. In reference to your mother, maybe it is possible for another one of her *Mahrams* to perform *Hajj* with her instead of you and you can pay the expenses if you wish to.

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Debt and *Hajj*

The ruling on whoever wants to perform *Hajj* and he owes a Debt

Q Is it permissible for whoever owes a debt to perform the obligation of *Hajj* if he has not performed it before or he performed it, but he wants to perform a voluntary *Hajj*?

A If a person owes a debt that takes up all the wealth that he has, then he is not obligated to perform *Hajj*, because Allâh has only made *Hajj* obligatory on the person who is able. Allâh said:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allâh, those who can find a way there."[1]

Whoever owes a debt that takes up all of what he has, then he is not able to go for *Hajj*. Based upon this, he should repay the debt. Then, if it is easy for him after that, he should perform *Hajj*. However, if the debt is less than what he has, such that he would still have enough to perform *Hajj* after paying the debt,

[1] *Aal 'Imran* 3:97.

then he should pay his debt and then perform *Hajj*. It makes no difference if it is an obligatory *Hajj* or a voluntary *Hajj*. However, it is obligatory on him to make haste in performing the obligatory *Hajj*. In reference to the *Hajj* that is not obligatory, then it is by choice. If he wishes, he may perform it; and if he wishes, he may leave it; and there is no sin on him.

Ash-Shaykh Ibn 'Uthaimin

The ruling on performing *Hajj* before repaying a Debt

Q I came to the Kingdom (of Saudi Arabia) with a work contract for a period of two years and I owe a debt to some of my friends. We did not set a specific time for me to repay it. Rather, I can repay it whenever I am able to do so. I intend to perform *Hajj* this year with my father and mother, but I know from what I studied before that the debt should be paid before the *Hajj*. So, is it permissible for me to perform *Hajj*? Also, I will repay my debt after my return to my homeland. Please benefit me with an answer.

A It is permissible for you to perform *Hajj* before repaying the debt and your *Hajj* will be correct, because the debt did not have a restricted time period that was specified for payment. Rather, you may repay it whenever that is easy for you, since the people who you owe the debt to are not in this country and they are your friends, and you know that if they knew you were performing *Hajj*, they would not stop you. You are only obligated to repay the debt if the people to whom you owe the debt become severe in their demand for repayment, such as their saying, "Give us what you were going to spend on *Hajj*." However, if they permit and you are able to satisfy them by promising them that you will repay them after returning (to your homeland), then there is no harm in your performing *Hajj*, if Allâh the Most High wills.

Ash-Shaykh Ibn Jibreen

He performed *Hajj* while he had stolen Money in his possession

I took some money from my father's aunt without her knowledge and she died before I returned the money. I performed *Hajj* last year while this money was still in my possession. The question is, is my *Hajj* correct? What should I do with this money to free myself of its responsibility, knowing that there is no one who inherited from her other than my father and his brothers? I hope for a beneficial answer. May Allâh reward you with good.

The *Hajj* is correct, if Allâh wills, if you performed what Allâh made obligatory concerning it and you avoided that which would corrupt it. You must repent to Allâh from taking your aunt's wealth without a right to do so. You must also give it to your father if he is the one who inherited from her.

We ask Allâh to pardon you and us and every Muslim.

Ash-Shaykh Ibn Baz

He wants to perform *Hajj*, but he owes a Debt

I am a man who wants to fulfill the obligation of *Hajj* during this year. However, I borrowed some money from the bank and I repay it in monthly installments. The period of payment will not end until after 6 months from now. Is it obligatory upon me to perform *Hajj* and fulfill the obligation, while knowing that I borrowed some money before I thought about performing the obligation (of *Hajj*) and it was for another purpose?

If you were able to come up with provisions for *Hajj* while paying off the debt in its time, it is obligatory upon you to perform *Hajj* due to the generality of Allâh's Statement:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allâh, those who can find a way there."[1]

If you were not able to come up with provisions for *Hajj* while paying off the debt, you are not obligated to perform the *Hajj*. This is due to this noble Verse and what has come with the same meaning from the *Hadiths* related from the Messenger of Allâh ﷺ.

Ash-Shaykh Ibn Baz

The ruling on performing *Hajj* by taking a Loan

Q I want to perform *Hajj* to the Sacred House of Allâh, but I do not have what will suffice me for that. The place where I work agreed to give me a loan to cover the expenses of the *Hajj*, which is to be repaid by deductions from my salary afterwards. Is this acceptable?

A It is acceptable that you do this. If you performed *Hajj* with money that you borrowed, indeed it is accepted. However, it is better and more appropriate that you do not do this, because Allâh has only made *Hajj* obligatory on whoever is able to find a way there, and right now you are not able to find a way. You should not take out a loan. For you do not know - maybe you will take a loan, and the debt will remain under your responsibility, and then you will not be able to repay it afterwards. You may become ill or you may not be able to get a job in the field that you work in or you may die. Therefore, you should not take a loan. Whenever Allâh enriches you and you are able to get some wealth that you can perform *Hajj* with, then do so. If not, then do not take a loan.

Ash-Shaykh Ibn Baz

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[1] *Aal 'Imran* 3:97.

Performing *Hajj* on Behalf of Someone Else

Performing *Hajj* on behalf of someone else for pay

Whoever took some pay to perform *Hajj* (the amount being 3,000 riyals not including the sacrificial animal), and then the person who took the pay performed the *Hajj* in the required manner. Does this person receive the reward of a *Hajj*, and does the person who died receive the reward of a *Hajj*, and does the one who paid the wage receive the reward of a *Hajj*? Or is the one who performed the *Hajj* deprived of that reward? Some people have begun giving a ruling (*Fatwa*) that we do not know. They say that the one who performed the *Hajj* gets no reward. He only took the pay in place of his reward for *Hajj*. We would like to know the correct view regarding this unclear matter.

If he took the pay for performing *Hajj* for the sake of his desire for worldly gain, then he is in an extremely dangerous position because of that. It is feared that his *Hajj* will not be accepted, because he preferred this world to the Hereafter. However, if he took the pay while hoping for that which is with Allâh (of reward), and to benefit his Muslim brother by performing *Hajj* on his behalf, and so that he could participate with the Muslims in the sacred rites of *Hajj* (this is a different situation). If he took the pay while hoping for what reward he would get for the *Tawaf* and prayer in the Sacred Mosque and being present in the circles of knowledge, then he is upon tremendous good. It is hoped for him that he will achieve a reward like the reward of whoever he performed *Hajj* for.

The Permanent Committee

The ruling on someone who is able to perform *Hajj* appointing someone else

The Permanent Committee for Scientific Research and Religious verdicts received the following question:

There is a man of healthy body who wants to appoint someone to perform *Hajj* for himself. Is this *Hajj* correct?

It is not permissible for someone who is able to perform *Hajj* to appoint someone else to perform the *Hajj* that is obligatory upon him, according to the consensus of the scholars. Ibn Qudamah said in Al-Mughni: "It is not permissible for someone who is able to perform *Hajj* to appoint someone else to perform *Hajj* for himself, according to the consensus (*Ijma'* of the scholars)." Likewise, it is not permissible for him to appoint someone else to perform a voluntary *Hajj* for him, according to the correct view. This is because *Hajj* is an act of worship and the fundamental principle regarding the acts of worship is *At-Tawqeef* (i.e., they can only be practiced based upon evidence from the Qur'an and Sunnah). There is nothing reported in the Islamic law, as far as we know, that proves this act. It is confirmed from the Prophet ﷺ that he said:

«مَنْ أَحْدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ»

"Whoever introduces into this matter of ours that which is not of it, then it is rejected."[1]

In another wording he said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

"Whoever does any deed that is not in accordance with our matter, then it is rejected."[2]

Likewise, His Eminence, Ash-Shaykh 'Abdul-'Aziz bin Baz was asked: "Is it permissible for someone who has performed the obligation of *Hajj* to appoint someone to perform an optional *Hajj* on his behalf while he himself is able to perform *Hajj*?"

The Shaykh responded by saying: "There is a difference of opinion between the people of knowledge regarding this issue.

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[1] Al-Bukhari no. 2697 and Muslim no. 1718.

[2] Muslim no. 1718.

What seems most apparent is that it is not permissible, because the allowance of this has only been reported concerning performing *Hajj* for the deceased, the extremely old person and the person who is unable to perform *Hajj*. The sick person who is not expected to recover has the same ruling. The basic principle is not to appoint someone else in performing the acts of worship; therefore, it is obligatory to remain upon that principle. And Allâh is the Giver of success."

Ash-Shaykh Ibn Baz

His Eminence, Ash-Shaykh Muhammad bin 'Uthaimin was asked about this same matter:

"A woman wants to appoint a man to perform *Hajj* for her due to his knowledge and her trust in him that he will perform the rites of *Hajj* completely, and due to her having very little knowledge about the rites of *Hajj*. Also, she fears for herself (in performing *Hajj*) regarding the situation of the monthly menstrual bleeding and other things and so that she can take care of her children and look after them in the house. Is this permissible Islamically?"

The Shaykh answered: "Someone appointing a person to perform *Hajj* on his behalf must be regarding two situations. The first situation is that it is for an obligatory *Hajj*. The second situation is that it is for a voluntary *Hajj*.

If it is for an obligatory *Hajj*, it is not permissible for a person to appoint someone else to perform *Hajj* and *'Umrah* for him unless he is in a situation where he is not able to get to the House (*the Ka'bah*) himself due to continuous illness that he may not recover from or old age or something similar. If it is hoped that he will recover from this illness, then he should wait until Allâh cures him and then perform the *Hajj* himself. If there is nothing with him preventing from *Hajj*, and he is able to perform *Hajj* for himself, it is not allowed for him to appoint someone else to perform the *Hajj* rites for him. This is because he is personally requested to perform *Hajj*. Allâh, the Most

High, said:

﴿وَلِلَّهِ عَلَى ٱلنَّاسِ حِجُّ ٱلْبَيْتِ مَنِ ٱسْتَطَاعَ إِلَيْهِ سَبِيلًا﴾

"And Hajj (pilgrimage to Makkah) to the House (the Ka'bah) is a duty that mankind owes to Allâh, those who can find a way there."[1]

The intent of the acts of worship is that the person performs them himself so that the aspects of worship and submission to Allâh will be fulfilled for him. It is known that whoever appoints someone else, then he does not achieve this great meaning for which the acts of worship have been legislated.

The second situation is that it is for a voluntary *Hajj*, meaning that the person has already performed the obligatory *Hajj* and he wants to appoint someone to perform *Hajj* or *'Umrah* for him. Concerning this matter there is a difference of opinion among the people of knowledge. Among them there are those who permit it and among them there are those who prohibit it. That which seems closest to what is correct with me is prohibition and that it is not permissible for anyone to appoint someone to perform *Hajj* or *'Umrah* on his behalf if that is voluntary. This is because the basic principle concerning acts of worship is that the person performs them by himself.

This is just as the person does not appoint someone to fast for him, even though if a person dies and he owes an obligatory fast, his guardian or successor fasts on his behalf. The same is true concerning the *Hajj*, and the *Hajj* is an act of worship that the person is to perform with his body. Wealth given to someone else is not the intent of it. Since it is a bodily act of worship that the person performs with his body, it is not correct that someone else perform it for him, except concerning what the Sunnah has reported. However, the Sunnah has not related anything concerning the person performing a voluntary *Hajj* on behalf of someone else. This is one of the two statements

[1] *Aal 'Imran* 3:97.

reported from Ahmad. I mean that it is not correct for the person to appoint someone else to perform a voluntary *Hajj* or *'Umrah* for him, regardless of whether he is able to do it himself or not.

So, if we go by this statement, this becomes an encouragement to the wealthy people who are able to perform *Hajj* for themselves, because some people pass many years without even going to Makkah. They do this relying upon the act of appointing someone to perform *Hajj* for them every year. Thus, the person misses *Hajj* because he has appointed someone else to perform *Hajj* for him. And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

Perform *Hajj* for your Parents and you will be rewarded

Our parents died and they did not perform the obligation of *Hajj*, nor did they leave a testament concerning it. Should we perform *Hajj* for them and how is that done?

If they were well-off in their lives and they were able to perform *Hajj* with their wealth, you are obligated to perform *Hajj* for them from their wealth. If you perform *Hajj* for them with wealth other than theirs as an act of charity on your part, then you will be rewarded for that. However, if they were in difficult circumstances (i.e., poor), you do not have to perform *Hajj* for them. Or if one of them was poor, you do not have to perform *Hajj* on behalf of the one that was poor. However, if you want to be generous and perform *Hajj* for them, you will receive a great reward and that is a form of kindness (to parents).

Ash-Shaykh Ibn Baz

He performed *Hajj* for his Mother but he forgot to say the *Talbiyyah* for her when assuming *Ihram*

Q What is the ruling on someone who performed *Hajj* for his mother and at the *Miqat* he said the *Talbiyyah* for *Hajj*, but he did not say the *Talbiyyah* for his mother?

A As long as his intention was to perform the *Hajj* for his mother, but he forgot, then verily the *Hajj* is still for his mother. The intention is what is strongest, due to the Prophet's statement:

«إِنَّمَا الأَعْمَالُ بِالنِّيَّاتِ»

"Verily, actions are only based upon intentions."[1]

Thus, if the intent of his coming (to Makkah) was to perform the *Hajj* for his mother or his father, then he forgot when assuming *Ihram*, then verily, the *Hajj* is for the person whom he meant and intended, such as a father or a mother or someone else.

Ash-Shaykh Ibn Baz

Appointing someone else for *Hajj*

Q A man decided to spend in charity to perform *Hajj* for both his father and his mother. Then he gave the *Hajj* (money) of his father to a woman so that she could give it to her husband in order for him to perform *Hajj* with it for the father. He also gave his mother's *Hajj* (money) to this same woman (to perform it for his mother). Therefore, he asks what is the ruling on that?

A In reference to your charity for both your father and mother for *Hajj*, this is an aspect of kindness and goodness, and Allâh will give you tremendous reward for this kindness.

[1] Al-Bukhari no. 1 and Muslim no. 1907.

In reference to your giving the money that you intended to be for *Hajj* on behalf of your father to a woman, who gave it to her husband so that he could perform (the father's) *Hajj* with it, this is your entrusting this woman according to what you have described. Entrusting someone else in this matter is permissible and appointing someone else to perform *Hajj* is permissible if the appointed person has already performed *Hajj* for himself. This is like the situation regarding what you paid to the woman to perform *Hajj* for your mother. Verily, appointing a woman to perform the *Hajj* for another woman and for a man is permissible. This is due to the confirmed evidences that have been reported from the Messenger of Allâh ﷺ concerning that. However, whoever wants to appoint someone to perform *Hajj*, they should look carefully at the person that they wish to appoint to make sure that he is from the religious people and those who are trustworthy. This is so that he can feel secure that the person will perform what is obligatory, and success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Whoever died without performing *Hajj* and without leaving a will concerning *Hajj*

Q If a man died and he did not appoint anyone to perform *Hajj* for him, is the obligation removed from him if his son performs *Hajj* for him?

A If his Muslim son who has already performed *Hajj* for himself, performs *Hajj* on his behalf, that removes the obligation from him. The same applies if someone from the Muslims who have already performed *Hajj* for themselves, other than his son, performs *Hajj* for him. This is due to what has been confirmed in the two *Sahihs* from Ibn 'Abbas ﷺ that a woman said, "O Messenger of Allâh, verily the obligation of Allâh upon His servants came upon my father, and he is an extremely old

man. He is not able to perform the *Hajj* or make the journey. Shall I perform *Hajj* on his behalf?" The Prophet ﷺ said:

«نَعَمْ، فَحُجِّي عَنْهُ»

"Yes, perform Hajj for him."[1]

Concerning this subject there are other *Hadiths* that prove what we have mentioned.

Ash-Shaykh Ibn Baz

Whoever died without performing *Hajj*, *Hajj* is performed for him from his Wealth

Q A man died without fulfilling the obligation of *Hajj* and he made a will that *Hajj* be performed for him from his wealth. Thus, the question is concerning the correctness of this *Hajj*, and is the *Hajj* performed by someone else like his performing *Hajj* for himself?

A If the Muslim dies without fulfilling the obligation of *Hajj* while he has completely fulfilled the conditions of its obligation, it is obligatory that *Hajj* be performed for him from his wealth that he left behind. It makes no difference whether he left a will to do that or not. If someone else performs *Hajj* for him from those whose *Hajj* is considered correct, and the person has already performed the obligation of *Hajj* for himself, his *Hajj* for the deceased is correct. This suffices in removing the obligation from the deceased. In reference to evaluating the *Hajj* of a man for someone else and is it like his *Hajj* that he performs for himself or is it more or less in virtue, that is referred to Allâh. There is no doubt that it is obligatory upon him to make haste in performing the *Hajj* if he is able to before he dies. This is due to the evidences of the Islamic law that prove that, and it is feared that he has committed a sin in delaying it.

The Permanent Committee

[1] Al-Bukhari no. 1513 and Muslim no. 1334-1335.

He died after reaching Puberty and he did not perform *Hajj*

My son died when he was 16 years old and he had not performed *Hajj* before. Am I required to perform *Hajj* for him?!

If the boy or girl reaches the age of puberty or they become 15 years of age (i.e., whichever comes first), it is obligatory on them to perform *Hajj* if they are able. The person's *Hajj* performed before reaching puberty does not suffice (for the obligation). So, if the person died after reaching puberty and he had the ability to perform *Hajj*, *Hajj* should be performed for him from his wealth or his guardian should perform *Hajj* for him.

Ash-Shaykh Ibn Jibreen

My Mother is not able to perform *Hajj* — should I perform *Hajj* for her?

I am a man who has a mother who is extremely old. She is approximately 70 years old and it is a natural thing with her that she cannot travel in cars, even if it is a short distance. If she rides in a car she becomes so ill that it causes her to lose consciousness, and she has not performed the obligation of *Hajj*. Is it permissible for me to perform *Hajj* for her from my own wealth, since I am her only son?

If the matter is like what has been mentioned, it is permissible for you to perform *Hajj* for your mother or for you to perform *Hajj* for her with your wealth. Rather, that is even more stressed upon you as an act of kindness and goodness to her, because she cannot perform the *Hajj*. Appointing someone else to perform *Hajj* in this situation is permissible. And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Should I perform *Hajj* on behalf of my Mother or should I hire someone to do it?

My mother died when I was very young and I have hired a reliable person to perform *Hajj* for her. Also, my father died (when I was very young) and I did not know either one of them. Yet, I heard from some of my relatives that he had performed *Hajj*. Is it permissible for me to hire someone to perform *Hajj* for my mother or am I required to perform *Hajj* for her myself. Also, concerning my father, should I perform *Hajj* for him since I heard that he already performed *Hajj*? I hope for a beneficial answer. Thank you.

If you perform *Hajj* for them yourself and you strive to perfect your *Hajj* in the manner prescribed by the Islamic law then that is better. If you hire someone to perform *Hajj* for them from the religious people and those who are trustworthy, there is no harm in that.

It is better that you perform *Hajj* and *'Umrah* for them. Likewise, whoever you appoint to do this, it is legislated for you to command him to perform both *Hajj* and *'Umrah* for them. This is from your showing kindness and good treatment to them. May Allâh accept it from you and us.

Ash-Shaykh Ibn Baz

Performing *Hajj* for two deceased Parents

Should I perform *Hajj* for my two parents who died without performing the obligation of *Hajj* due to their poverty. I would like to perform *Hajj* for them, so what is the ruling regarding that?

It is permissible for you to perform *Hajj* for your two parents yourself or you may appoint someone to perform *Hajj* for them if you have performed *Hajj* for yourself or the person who performs it for them has already performed *Hajj* for

himself. This is due to what Abu Dawud recorded in his *Sunan* from 'Abdullah bin 'Abbas ﷺ that the Prophet ﷺ heard a man saying: "*Labbayk* (I am here at Your service) for Shubrumah." The Prophet ﷺ said:

«مَنْ شُبْرُمَةُ»

"Who is Shubrumah?"

The man said: "He is a brother of mine," or he said: "He is a relative of mine." The Prophet ﷺ said:

«حَجَجْتَ عَنْ نَفْسِكَ»

"Have you performed Hajj for yourself?"

The man said: "No." The Prophet ﷺ then said:

«حُجَّ عَنْ نَفْسِكَ، ثُمَّ حُجَّ عَنْ شُبْرُمَةَ»

"Perform Hajj for yourself, then perform Hajj for Shubrumah."[1]

Ibn Majah recorded this and Al-Bayhaqi said: "This chain of narration is authentic, and there is nothing more authentic than this concerning this subject."

The Permanent Committee

He wants to perform *Hajj* for some People but he does not know some of their Names

Q I have about four people who have died among my uncles and grandparents. Some of them are men and some are women, but I do not know some of their names. I want to send someone to perform *Hajj* for each of them from my own personal money.

A If the matter is like what has been mentioned, then whoever's name you know from the women and men,

[1] Abu Dawud no. 1811 and Al-Bayhaqi 4:336.

there is no problem. Whoever's name you do not know, it is permissible for you to make intentions for the men and women from the paternal and maternal uncles and aunts according to the arrangement of their ages and descriptions. The intention is sufficient in that, even if you do not know the name. And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Changing the Intention during the *Hajj*

Q A man intends to perform *Hajj* for himself and he has already performed *Hajj* before. Then the idea comes to him while he is at 'Arafat to change his intention to it being for a relative of his. What is the ruling on that, and is that permissible or not?

A If the person assumes *Ihram* for *Hajj* for himself, he may not change his intention after that - not on the road there nor at 'Arafat nor anywhere else. Rather, he is required to complete it for himself. He may not change it to being for his father, his mother or anyone else. Rather, that *Hajj* must be carried out for himself. This is due to the Statement of Allâh, the Most High:

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ﴾

"And complete the Hajj and the 'Umrah for Allâh." [1]

So, if he assumes *Ihram* for himself, it is obligatory on him to complete it for himself. If he assumes *Ihram* for *Hajj* for someone else, he is obligated to complete it for that person. He may not change the intention after assuming *Ihram*.

The Permanent Committee

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[1] *Al-Baqarah* 2:196.

If someone is appointed to perform *Hajj* for someone else and they are not able, they can appoint someone else to do it

Q Four years ago a person received some money from one of the pilgrims' guides (*Mutawwif*) to perform the pilgrimage for someone in a foreign land (outside of Saudi Arabia). However, he has not performed the obligation of *Hajj* for that person, as he needed the money and also due to his being lax about it. Now this person wants to perform the obligation of *Hajj*, as he is still responsible for it, but he cannot perform it due to his illness. However, he is prepared to pay the money and free himself of the responsibility. Also, this is while knowing that the *Mutawwif* who entrusted him to perform the *Hajj* is not present and he does not know where he is.

A If what occurred is like that which has been mentioned by the questioner, it suffices the mentioned person to pay the money to someone who is reliable in his religion and his trustworthiness to perform *Hajj* with it for the person who paid the money to him. This is due to Allâh's Statement:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able." [1]

May Allâh help everyone to do what pleases Him. And peace be upon you.

Ash-Shaykh Ibn Baz

The sacred Rites of Pilgrimage cannot be on behalf of two People

Q All praise is due to Allâh, we go to Makkah Al-Mukarramah every year to perform *'Umrah* during the

[1] *At-Taghabun* 64:16.

blessed month of Ramadhan. Every time we go, I make intentions to perform *'Umrah* for my father, and then the next time I make intentions to perform it for my mother. However, the last time we went I intended it for both of them together. Then when I asked about this *'Umrah*, I was told that it is counted for me and not for them. Is this correct?

Yes, this is correct according to the people of knowledge. They say that verily the sacred rites (of pilgrimage) cannot be on behalf of two people. The sacred rites can only be for one person. Either it is for the person (performing it) or his father or his mother and so forth. It is not possible for the person to say the *Talbiyyah* (for intending the *Hajj* or *'Umrah*) for two people. If this is done, it is not correct for them and the pilgrimage is for him (i.e., the person who is making it).

However, I say that the person should make the righteous deeds for himself, such as *'Umrah*, *Hajj*, charity, prayer, recitation of the Qur'an and other than that. This is because the person is in need of these righteous deeds. A day will come when he will wish that there is even one good deed in his record of deeds. The Prophet ﷺ did not direct his *Ummah* to dedicate righteous deeds to their mothers and fathers, whether they are living or dead. The Prophet ﷺ only directed (his *Ummah*) to supplicate for the deceased when he said:

«إِذَا مَاتَ الإِنْسَانُ انْقَطَعَ عَمَلُهُ إِلَّا مِنْ ثَلَاثَةٍ، إِلَّا مِنْ صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

"When the person dies, his deeds are cut off except for three: perpetual charity or knowledge from which benefit is gained or a righteous child who supplicates for him."[1]

Notice his statement: "or a righteous child who supplicates for him." He did not say: "or a righteous child who recites Qur'an for him or prays two *Rak'ahs* for him or performs *'Umrah* or *Hajj*

[1] Muslim no. 1631.

for him or fasts for him." Rather, he said: "or a righteous child who supplicates for him," even though the context of the discussion is concerning the righteous deeds. This proves that it is better for the person to supplicate for his parents instead of performing righteous deeds for them that he dedicates for them.

In spite of this, there is no harm that a person does a righteous deed while making it for his parents or one of them. However, concerning *Hajj* or *'Umrah*, he cannot make the *Talbiyyah* when intending the act for both of them.

Ash-Shaykh Ibn 'Uthaimin

Al-Mawaqit

Al-*Mawaqit* of Time and Place

Q What are *Al-Mawaqit* of place and time in reference to *Hajj* and *'Umrah*?

A *Al-Mawaqit* of time for *Hajj* are the month of Shawwal, Thul-Qa'dah and the first 10 days of Thul-Hijjah. A person may not assume *Ihram* for *Hajj* except during these times. Allâh said:

﴿فَمَن فَرَضَ فِيهِنَّ ٱلْحَجَّ فَلَا رَفَثَ وَلَا فُسُوقَ وَلَا جِدَالَ فِى ٱلْحَجِّ﴾

"The Hajj is during well-known months (Shawwal, Thul-Qa'dah and the first 10 days of Thul-Hijjah), so whoever intends to perform Hajj therein (by assuming Ihram), then he should not have sexual relations (with his wife), nor commit sin, nor argue unjustly during the Hajj." [1]

Therefore, whoever assumes *Ihram* during these times for *Hajj*, his *Ihram* is correct. However, he must remain in *Ihram* until he stands at 'Arafat on the day of *'Arafah* (the 9th of Thul-Hijjah). In reference to *'Umrah*, there is no specific time for it. Rather, it

[1] *Al-Baqarah* 2:197.

is correct to perform it throughout the entire year. The best *'Umrah* is that which is performed during Ramadhan, as it is equivalent (in reward) to a *Hajj*.

Concerning *Al-Mawaqit* of place, the first of them is *Thul-Hulayfah* for the people of Al-Madinah. Its distance from Al-Madinah is about 6 miles, and it is about 10 days' journey from Makkah by camel. The common people now call it Abyar 'Ali. The second is *Al-Juhfah* and it is about 3 days' journey from Makkah (by camel). It has been demolished and now the people assume *Ihram* from Rabigh, which is a little before it. This is the *Miqat* for the people of Ash-Sham (Syria, Jordan, Palestine, and Lebanon), Egypt and (i.e., all the way to) Morocco if they do not pass through Al-Madinah. The third is *Qarnul-Manazil*, which is two days' journey (by camel) from Makkah. It is now known as As-Sayl Al-Kabir and its uppermost part to the west is known as Wadi Muhrim. This is the *Miqat* of the people of Najd, At-Ta'if and whoever passes by that way. The fourth is *Yalamlam*, which is two days' journey or more (by camel) from Makkah. Now it is known as As-Sa'diyyah and the people of Al-Yemen assume *Ihram* from it and whoever else passes by it. Whoever does not have a *Miqat* on his way, he assumes *Ihram* when he reaches the same distance parallel to the closest *Miqat* to him. It makes no difference if his route is by land, sea or air. The person who is riding in an airplane, assumes *Ihram* when he reaches the area of the *Miqat* or he assumes it before that in order to be safe so that he does not pass it before assuming his *Ihram*. Whoever assumes *Ihram* after passing the *Miqat*, he must sacrifice an animal to make up for this mistake. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

The obligation of assuming *Ihram* from the *Miqat*

Q During the month of Rajab in the year 1405 AH, I intended to perform *'Umrah* and I passed without *Ihram* the *Miqat* called Yalamlam, which is the *Miqat* of the people of Al-Yemen. When one of the brothers met me - may Allâh

reward him with good - he told me that I had to return to the *Miqat* to assume *Ihram* from there. He said: "It is not permissible for you to enter Makkah in your normal clothes." So, I went back for a distance of about 30 km and I assumed *Ihram* from the *Miqat*. I would like for you to benefit me with an answer. Had I entered Makkah without *Ihram*, would I have had to sacrifice an animal? Would it have been permissible for me to assume *Ihram* from the place where the brother met me and told me to go back or did I have to go back to the *Miqat*?

It is obligatory upon whoever intends to go to Makkah for *Hajj* or *'Umrah* to assume *Ihram* from the *Miqat* that he passes by. It is not permissible for him to pass it without *Ihram*. This is due to the statement of the Prophet ﷺ when he designated the *Mawaqit*:

«هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ وَمَنْ كَانَ دُونَ ذٰلِكَ فَمَهِلُّهُ مِنْ حَيْثُ أَنْشَأَ حَتَّى أَهْلُ مَكَّةَ يُهِلُّونَ مِنْ مَكَّةَ»

"They are for them and for whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah. Whoever is closer (to Makkah) than that, then his place of Ihram is from where he began (his journey). Even the people of Makkah assume Ihram from Makkah."[1]

Therefore, if the Yemeni person comes by way of Yalamlam, he is obligated to assume *Ihram* from Yalamlam. Likewise, if he comes by way of Al-Madinah, he is obligated to assume *Ihram* from the *Miqat* of Al-Madinah. Similarly, if he came from Najd, he is obligated to assume *Ihram* from the *Miqat* of Najd, and so forth. If he passes the *Miqat* without assuming *Ihram*, he is obligated to go back to assume *Ihram* from it. The person who directed you to go back to Yalamlam did well. By your returning to the *Miqat* you did what was correct, and all praise is due to

[1] Muslim no. 1181.

Allâh. If you had assumed *Ihram* from the place where you were when he told you to go back, you would have had to sacrifice an animal, because you passed the *Miqat* (without assuming *Ihram*) while intending *'Umrah*. The sacrifice is a seventh of a camel, a seventh of a cow or a single sheep that has completed one year in age or a two-year-old goat. It is to be slaughtered in Makkah and distributed among the poor people of the *Haram* to make the *'Umrah* correct. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The *Miqat* for *'Umrah* of a Person who lives in Makkah

Where is the *Miqat* for *'Umrah* of a person who lives in Makkah?

The *Miqat* of *'Umrah* for whoever is in Makkah is the area outside of the Sacred Area of the city. This is because when 'A'ishah ﵂ requested permission from the Prophet ﷺ to perform a single *'Umrah* after she had performed *Hajj* with him as a *Qiran Hajj*, he ordered her brother 'Abdur-Rahman to go with her to At-Tan'im so that she could assume *Ihram* from there for *'Umrah*. At-Tan'im is the closest place to the sacred boundary of Makkah. That occurred during the night. If *Ihram* for *'Umrah* was permissible from Makkah or any place in the Sacred Area, the Prophet ﷺ would not have put such a difficulty on himself, 'A'ishah and her brother, by ordering her brother to take her to At-Tan'im to assume *Ihram* for *'Umrah*. That was during the night and they were traveling, and that required that he wait for her. Were it permissible, he would have allowed her to assume *Ihram* from her place with him in the valley of Makkah, acting upon the ease of the Islamic law and its flexibility. This is also known from the fact that he was not given the choice between two things except that he would choose the easiest of them as long as it was not a sin. If it were a sin, he was the farthest person away from it. Since he did not permit her to

assume *Ihram* for *'Umrah* from the valley of Makkah, this proves that the sacred precinct of Makkah is not a *Miqat* for *Ihram* for *'Umrah*. This particularizes the *Hadith* which states: "The Messenger of Allâh ﷺ designated the *Miqat* for the people of Al-Madinah as Thul-Hulayfah, for the people of Ash-Sham as Al-Juhfah, for the people of Al-Yemen as Yalamlam and he said:

«هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ مِمَّنْ يُرِيدُ الْحَجَّ وَالْعُمْرَةَ وَمَنْ كَانَ دُونَ ذَلِكَ فَمَهِلُّهُ مِنْ حَيْثُ أَنْشَأَ حَتَّى أَهْلُ مَكَّةَ يُهِلُّونَ مِنْ مَكَّةَ»

'They are for them and whoever passes by them from other than their people, from those who wish to perform Hajj and 'Umrah. And whoever is closer (to Makkah) than that, then his place of assuming Ihram is from wherever he begins. Even the people of Makkah assume Ihram from Makkah."[1]

The Permanent Committee

The ruling on whoever intends to go to Makkah for other than *Hajj* and *'Umrah*

Q What is the ruling of the Islamic law concerning someone who leaves from Ar-Riyadh to Makkah and he does not intend to perform *Hajj* or *'Umrah*? Then after his arrival in Makkah he wants to perform *Hajj*, so he assumes *Ihram* from Jeddah for the *Hajj* of *Qiran*. Is his *Ihram* acceptable from Jeddah or does he have to sacrifice an animal? And does he have to go to one of the known *Mawaqit* places? Please give us a ruling, and may Allâh reward you.

A Whoever leaves from Ar-Riyadh or any other place intending to go to Makkah, but he does not intend to make *Hajj* or *'Umrah*, but he only intends to do something else, like business or visiting some relatives or something similar to that, then after he arrives in Makkah he decides to perform *Hajj*,

[1] Al-Bukhari no. 1526 and Muslim no. 1181.

he should assume *Ihram* from his place where he was. If he was in Jeddah, he assumes *Ihram* from Jeddah, and if he was in Makkah, he assumes *Ihram* from Makkah. Similarly, any place from where a person decides to perform *Hajj* or *'Umrah* while he is in that place, he assumes *Ihram* from where he is for *Hajj* or *'Umrah* if he is within (the boundaries of) the *Mawaqit*. There is no harm on him in this, because his *Miqat* is the place from where he intends to perform *Hajj*. This is due to the statement of the Prophet ﷺ when he designated the *Mawaqit* places:

«وَمَنْ كَانَ دُونَ ذٰلِكَ فَمَهِلُّهُ مِنْ حَيْثُ أَنْشَأَ حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ»

"Whoever is closer (to Makkah) than that, then his place of Ihram is from where he began. Even the people of Makkah assume Ihram from Makkah."[1]

The Permanent Committee

The ruling on passing the *Miqat* without *Ihram*

Q What is the ruling on whoever passes the *Miqat* without assuming *Ihram*, regardless of whether it was for *Hajj* or *'Umrah* or some other purpose?

A Whoever passes the *Miqat* for *Hajj* or *'Umrah* and he has not assumed *Ihram*, it is obligatory upon him to return and assume *Ihram* for *Hajj* and *'Umrah* from the *Miqat*. This is because the Messenger of Allâh ﷺ ordered that. He ﷺ said:

«يُهِلُّ أَهْلُ الْمَدِينَةِ مِنْ ذِي الْحُلَيْفَةِ وَيُهِلُّ أَهْلُ الشَّامِ مِنَ الْجُحْفَةِ وَيُهِلُّ أَهْلُ نَجْدٍ مِّنْ قَرْنٍ وَيُهِلُّ أَهْلُ الْيَمَنِ مِنْ يَلَمْلَمَ»

"The people of Al-Madinah assume Ihram from Thul-Hulayfah, the people of Ash-Sham from Al-Juhfah, the people of Najd from Qarn, and the people from Al-Yemen from Yalamlam."[2]

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[1] Al-Bukhari no. 1530 and Muslim no. 1181.
[2] Al-Bukhari no. 1525 and Muslim no. 1182.

This has been reported in an authentic *Hadith*. Ibn 'Abbas ﷺ said that the Prophet ﷺ designated the *Miqat* for the people of Al-Madinah as Thul-Hulayfah, for the people of Ash-Sham as Al-Juhfah, for the people of Najd as Qarn, and the people of Al-Yemen as Yalamlam. Then he said:

«هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah."[1]

Hence, if the person's intent is *Hajj* or *'Umrah*, he must assume *Ihram* from the *Miqat* which he passes by. If he comes by way of Al-Madinah, he assumes *Ihram* from Thul-Hulayfah. If he comes by way of Ash-Sham or Egypt or Morocco, he assumes *Ihram* from Al-Juhfah, which is now from (the place called) Rabigh. If he comes by way of Al-Yemen, he assumes *Ihram* from Yalamlam. If he comes by way of Najd or At-Ta'if, he assumes *Ihram* from the valley of Qarn, which is called Qarn and it is now called As-Sayl. Some of the people call it Wadi Muhrim. Thus, the person assumes *Ihram* from that place for his *Hajj* or his *'Umrah* or both of them together. It is better if it is during the months of the *Hajj* that he assumes *Ihram* for *'Umrah* and then makes *Tawaf* and *Sa'y* for it. Then he cuts his hair and removes his *Ihram*. Then he assumes *Ihram* again for *Hajj* when it is time for it (i.e., the 8th of Thul-Hijjah). If the person passes by the *Miqat* during months other than the months of *Hajj*, like Ramadhan or Sha'ban, he assumes *Ihram* for *'Umrah* only. This is what is legislated. However, if a person comes for some other reason and he does not intend to perform *Hajj* or *'Umrah*, and he has only come to Makkah for buying or selling or for visiting some of his relatives or friends or some other reason, and he does not intend *Hajj* or *'Umrah*, then he is not required to assume *Ihram* according to the correct view. He may enter (Makkah) without assuming *Ihram*. This is the correct opinion

[1] Al-Bukhari no. 1524 and Muslim no. 1181

between the two views held by the scholars. It is better for him to assume *Ihram* for *'Umrah* to take advantage of the opportunity.

Ash-Shaykh Ibn Baz

Those whom it is allowed for them to pass by the *Miqat* without assuming *Ihram*

Q Who is allowed to pass the *Miqat* without *Ihram* and who is not allowed, and what must the person do who passes the *Miqat* without *Ihram*?

A It is reported in the *Sahih* from Ibn 'Abbas ﷺ that the Messenger of Allâh ﷺ designated the *Miqat* for the people of Al-Madinah as Thul-Hulayfah, for the people of Ash-Sham as Al-Juhfah, for the people of Najd as Qarnul-Manazil and the people of Al-Yemen as Yalamlam. Then he said:

«هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah."[1]

This *Hadith* is an evidence that whoever passes these *Mawaqit* intending to go to Makkah to perform the rites of *Hajj* or *'Umrah*, he must assume *Ihram*. If he has no desire or intent, but he only intends to go to Makkah to visit a relative or for a specific reason, it is permissible for him to pass the *Miqat* if he is a person who repeatedly passes through it. This is like a person who is a woodcutter, a mail carrier, a hired driver and similar people. In all circumstances *Ihram* is only required for whoever passes the *Miqat* while intending to go to Makkah for *Hajj* or *'Umrah*. Whoever passes the *Miqat* without assuming *Ihram* then he must return to the *Miqat* to assume *Ihram* from there. If the person lands in an airplane in Jeddah, he rides in a car to the

[1] Al-Bukhari no. 1524 and Muslim no. 1181.

Miqat of the people of Najd and he assumes *Ihram* from there. If he assumes *Ihram* from Jeddah while intending to perform *Hajj* and *'Umrah*, he must slaughter an animal to make up for his passing the *Miqat* (without *Ihram*).

Ash-Shaykh Ibn Jibreen

When does the Person who comes by way of air or sea assume *Ihram*?

When does the person who comes for *Hajj* or *'Umrah* by air assume *Ihram*?

The person who arrives by air or sea assumes *Ihram* when he reaches a point (in flight) that is parallel to the place of the *Miqat*, just like the person who is on land. When he reaches the point that is equal (in distance) to the *Miqat*, he assumes *Ihram* in the air or on the sea or slightly before that so that he can be safe, due to the speed of the plane and the speed of the ship or steamboat.

Ash-Shaykh Ibn Jibreen

The ruling on assuming *Ihram* from Jeddah

The Respected *Fiqh* Academy that was held in Makkah Al-Mukarramah debated the issue of "The ruling on assuming *Ihram* from Jeddah and what takes place with many of the people who arrive in Makkah Al-Mukarramah for *Hajj* and *'Umrah* by air and sea." This is due to their ignorance of the distances of the *Mawaqit* that the Prophet ﷺ designated and obligated that *Ihram* be assumed from, for their people and whoever passes them from other than them, from those who intend to perform *Hajj* and *'Umrah*.

After study and review of the legislative texts concerning this, the committee decided the following:

First: Verily, the *Mawaqit* that the Prophet ﷺ designated and

obligated that *Ihram* be assumed from, for their people and whoever passes them from others besides them, from those who intend to perform *Hajj* and *'Umrah* are these: Thul-Hulayfah for the people of Al-Madinah and whoever passes it from other than them. It is currently called Abyar 'Ali. Al-Juhfah, which is for the people of Ash-Sham, Egypt and whoever passes it from other than them. It is currently called Rabigh. Qarnul-Manazil, which is for the people of Najd and whoever passes it from other than them. It is currently called Wadi Muhrim and it is also called As-Sayl. That 'Irq, which is for the people of 'Iraq, Khurasan and whoever passes it from other than them. It is called Adh-Dharibah. Yalamlam is for the people of Al-Yemen and whoever passes it from other than them.

The committee decided that it is obligatory upon the people to assume *Ihram* when they come to a place equal (in distance) to the closest *Miqat* to them from these five *Mawaqit*, whether by air or sea. If the people are not certain about that and they do not have anyone with them to tell them the appropriate distance, it is obligatory upon them to be safe and assume *Ihram* before that. They should do this at a time that they believe or they feel is most likely suitable for them to assume *Ihram* before reaching the distance equal to the *Miqat*. This is because assuming *Ihram* before the *Miqat* is permissible and affirmed - even though it is disliked. If one seeks earnestly (that which is right) and takes precautions, due to fear of passing the *Miqat* without *Ihram*, the dislike (of assuming *Ihram* before the *Miqat*) is removed. This is because there is no dislike in fulfilling an obligation. The people of knowledge in all of the four *Mathhabs* have reported what we have mentioned. They support this argument with authentic *Hadiths* that are confirmed from the Messenger of Allâh ﷺ concerning designating the *Mawaqit* for the *Hajj* pilgrims and those performing *'Umrah*. They also support this argument with what is confirmed from the Commander of the Believers, 'Umar bin Al-Khattab ﷺ when the people of Iraq said to him, "Verily, Qarn is far from our route (to Makkah)." He said to them, "Look at its distance in

relation to your route." They also argued, "And because Allâh obligated upon His servants to fear Him as much as they are able." And this is what is within the ability of the person who does not pass by the same *Miqat*. When this is known, it is not acceptable for the *Hajj* pilgrims and those performing *'Umrah* who arrive by air and sea or others besides them to delay assuming *Ihram* until they arrive in Jeddah. This is because Jeddah is not from the *Mawaqit* that the Messenger of Allâh ﷺ designated. Likewise, whoever does not carry the *Ihram* clothing with him, he may not delay his *Ihram* until Jeddah. Rather, it is obligatory on him to assume *Ihram* in pants if he does not have a waist wrap garment. This is due to the Prophet's statement in the authentic *Hadith*:

«مَنْ لَّمْ يَجِدْ نَعْلَيْنِ فَلْيَلْبَسِ الخُفَّيْنِ، وَمَنْ لَّمْ يَجِدْ إِزَارًا فَلْيَلْبَسِ السَّرَاوِيلَ»

"Whoever does not find two sandals, then let him wear two leather socks, and whoever does not find a waist garment, then let him wear pants."[1]

He must uncover his head, because when the Prophet ﷺ was asked about what the person in *Ihram* should wear, he said:

«لَا يَلْبَسُ الْقُمُصَ، وَلَا الْعَمَائِمَ، وَلَا السَّرَاوِيلَاتِ، وَلَا الْبَرَانِسَ، وَلَا الْخِفَافَ إِلَّا أَحَدٌ لَا يَجِدُ نَعْلَيْنِ فَلْيَلْبَسْ خُفَّيْنِ»

"He does not wear the shirt, turbans, pants, hooded robes, or leather socks, except for the person who cannot find two sandals."[2]

This *Hadith* is agreed upon (by Al-Bukhari and Muslim).

Therefore, it is not permissible for the person in *Ihram* to have a turban on his head or a cap or anything else from that which is worn on the head. If he has a turban that is large enough for covering, maybe he can make it into a waist garment and wear it

[1] Al-Bukhari no. 1841 and Muslim no. 1179.
[2] Al-Bukhari no. 1542 and Muslim no. 1177.

around his lower body. It is not permissible for him to wear pants and he must exchange them for a waist garment if he is able to do so. If he is not wearing pants and he does not have a turban that is appropriate for a waist garment when he reaches the place parallel to the *Miqat* in the plane or steamboat or ship, it is permissible for him to assume *Ihram* in his shirt that he is wearing while uncovering his head. Then, when he reaches Jeddah, he buys a waist garment and takes off the shirt. Due to his wearing the shirt, he must make expiation by feeding six poor people, giving each of them half a *Sa'* of dried dates or rice or something else from the food of the land. He may also fast three days or sacrifice a sheep. He is given the option between these three things. This is as the Prophet ﷺ gave Ka'b bin 'Ujrah the choice when he allowed him to have his head shaved while he was in *Ihram* due to an ailment that had stricken him.

Second: The Council of the General Secretariat of the Muslim World League has been given the responsibility of writing to the airline companies and the steamships to request them to alert the passengers quite a distance before coming near to the *Miqat* that they will be passing the *Miqat*.

Third: The respected Shaykh Mustafa Ahmad Az-Zarqa', a member of the Council of Islamic *Fiqh* Academy, disagreed with this position, as did the noble Shaykh Abu Bakr Mahmud Jumi, who is also a member of the Council. They disagreed only in reference to the matter of those who arrive (from outside) residents of Jeddah who are returning back (from outside).

This is what has been signed and Allâh is the Giver of success.

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

Jeddah is not a *Miqat*

Q Some people give *Fatwa* (i.e., religious ruling) for the person who arrives for *Hajj* by air that he may assume

Ihram from Jeddah and others are against that. So, what is the correct position regarding this issue? Please give us a ruling, and may Allâh reward you.

A What is obligatory upon all of the *Hajj* pilgrims, whether they come by air, sea or land, is that they assume *Ihram* from the *Miqat* that they pass by land or what is equivalent to its distance by air or sea. This is due to the Prophet's statement when he designated the *Mawaqit*:

«هُنَّ لَهُنَّ وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ مَمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah."[1]

This *Hadith* is agreed upon.

Ash-Shaykh Ibn Baz

The ruling on delaying *Ihram* until reaching Jeddah

Q A man intends to perform *Hajj* or *'Umrah* and he puts on his garments of *Ihram* on the airplane. Then, along with this, he does not know the place of the *Miqat*. Can he delay the *Ihram* until Jeddah or not?

A If he intends to perform *Hajj* or *'Umrah* by air, he may bathe in his home and put on the waist garment and the upper garment (at his home), if Allâh wills. Then, when there is only a short amount of time left before reaching the *Miqat* (i.e., while on the plane) he enters the state of *Ihram* for whatever he wants to perform, whether it is *Hajj* or *'Umrah*. There is no hardship in that.

If he does not know the *Miqat*, then he should ask the plane's pilot or one of the plane's crew or one of the passengers who is reliable and has information about that. And success is from

[1] Al-Bukhari no. 1524 and Muslim no. 1181.

Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The ruling on assuming *Ihram* from Jeddah for whoever arrives by airplane

What is the ruling on whoever intends to perform *Hajj* arriving from one of the countries (outside of Saudi Arabia) and his plane lands in the airport of Jeddah while he has not assumed *Ihram;* then he assumed *Ihram* from Jeddah? What must he do (as expiation for that)?

If the plane landed in Jeddah and he is from the people of Ash-Sham or Egypt, then he assumes *Ihram* from Rabigh. He goes to Rabigh in a car or by some other transport and he assumes *Ihram* from Rabigh. He does not assume *Ihram* from Jeddah. Likewise, if he came from Najd and he did not assume *Ihram* until he landed in Jeddah, he goes to As-Sayl, and it is the valley of Qarn, and he assumes *Ihram* from there. If he assumes *Ihram* from Jeddah and he does not go to the *Miqat* (to assume *Ihram*), he must slaughter one sheep that is sufficient for sacrificing. He must sacrifice it in Makkah for the poor people or he may share in the sacrifice of a seventh of a camel or a seventh of a cow. This is to make his *Hajj* or *'Umrah* acceptable. And success is from Allâh.

Ash-Shaykh Ibn Baz

The ruling on going back and forth between At-Ta'if and Jeddah for work without assuming *Ihram*

There is an employee who decided to perform *Hajj*, but he has jobs to do in At-Ta'if that cause him to have to go back and forth between At-Ta'if and Jeddah without *Ihram*.

There is no harm in that, because between his going back and forth from At-Ta'if to Jeddah he does not intend to make *Hajj* or *'Umrah*. He only wants to fulfill his need. However, whoever knows that during his final trip from At-Ta'if that he will not return to At-Ta'if before *Hajj*, then he must assume *Ihram* from the *Miqat* for *'Umrah* or *Hajj*. However, if he does not know beforehand and he coincidentally comes upon the time of *Hajj* while he is in Jeddah, then he assumes *Ihram* from Jeddah for *Hajj* and there is no sin on him. In this case his ruling is the ruling of those who stay in Jeddah who come there for some work and they do not intend to perform *Hajj* or *'Umrah* when they pass the *Miqat*.

Ash-Shaykh Ibn Baz

The ruling on assuming *Ihram* from the city of Jeddah for the people of At-Ta'if

What is the ruling on whoever comes from At-Ta'if to Jeddah to stay there until the time of *Hajj* and when he comes he intends to perform *Hajj* during that year? His coming (to Jeddah) is during the months of *Hajj* and he assumed *Ihram* from Jeddah for *Hajj* or *'Umrah*.

The apparent evidences of the Islamic legislation prove that this person must return and assume *Ihram* from the *Miqat* of At-Ta'if if he intends to perform *Hajj* or *'Umrah*. This is because he passed it without *Ihram* while he was intending to perform *Hajj*. Whoever does not do so and he assumes *Ihram* from Jeddah, then he must sacrifice an animal, which must be slaughtered in Makkah for the poor people.

However, if he had no intentions to perform *Hajj* or *'Umrah* when he passed the *Miqat*, there is no harm in his assuming his *Ihram* from Jeddah for *Hajj* or *'Umrah*. This is due to the Prophet's statement:

«هُنَّ لَهُنَّ وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ مِمَّنْ أَرَادَ الْحَجَّ أَو الْعُمْرَةَ،

فَمَنْ كَانَ دُونَ ذَلِكَ فمهله مِنْ أَهْلِهِ حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj or 'Umrah. So, whoever is closer (to Makkah) than that, then his place of Ihram is from his people (where he lives). Even the people of Makkah assume Ihram from Makkah."[1]

Ash-Shaykh Ibn Baz

He assumed *Ihram* from Jeddah while arriving from Al-Madinah

The questioner says: "Verily, I am a student in Al-Madinah and I wanted to perform *'Umrah*, but I could not find a car directly to Makkah. So, I went to Jeddah first and assumed *Ihram* in Jeddah. So, what is due upon me? Is it correct for me to assume *Ihram* from Jeddah?"

If the situation is as you have mentioned, in that you intended to perform *'Umrah* while you were in Al-Madinah and you went to Jeddah and assumed *Ihram* from there, then you have erred by passing the *Miqat* of the people of Al-Madinah without *Ihram*. You must seek forgiveness from Allâh and do not do like that again. You can make up for the deficiency of your *Ihram* by your passing the *Miqat* without *Ihram* by slaughtering a sheep that is suitable for sacrificing. This can be done at anytime in Makkah Al-Mukarramah and the meat is distributed among the poor people of the *Haram* (sacred precincts of the city). You should not eat any of that meat. And success comes from Allâh. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

[1] Al-Bukhari no. 1524 and Muslim no. 1181.

The Sacred Rites of *Hajj*

The ruling on whoever forgot to say the *Talbiyyah*

A *Hajj* pilgrim assumed *Ihram* from the *Miqat* but in the *Talbiyyah* he forgot to say: "*Labbayk 'Umratan Mutamatti'an biha ilal-Hajj*" (I am here at Your service to perform *'Umrah* combining it with *Hajj* as *At-Tamattu'*). Shall he complete his rites of *Hajj* and *'Umrah* as a *Mutamatti'*? What is due upon him if he removed his *Ihram* from his *'Umrah* then assumed *Ihram* for *Hajj* from Makkah?

If he intended to perform *'Umrah* when he assumed *Ihram*, but he forgot the *Talbiyyah* while he was intending *'Umrah*, his ruling is the ruling of whoever says the *Talbiyyah*. He performs *Tawaf*, *Sa'y*, gets his hair cut and removes his *Ihram*. It is legislated for him to say the *Talbiyyah* on the road (to Makkah). If he does not say the *Talbiyyah*, there is no sin on him, because the *Talbiyyah* is *Sunnat Mu'kkadah* — a compulsory *Sunnah* (i.e., not obligatory). Thus, he makes *Tawaf*, *Sa'y*, gets his hair cut and he considers it an *'Umrah*, because he intended to perform *'Umrah*. However, if he is in *Ihram* and he intends to perform *Hajj*, and the time is abundant, it is better for him to cancel his *Hajj* and change his intention to *'Umrah*. Then he makes *Tawaf*, *Sa'y*, gets his hair cut and removes his *Ihram* - and all praise is due to Allâh. In this case his ruling is the ruling of those who are performing *'Umrah* and *Hajj* together as *At-Tamattu'*.

Ash-Shaykh Ibn Baz

The ruling on whoever performs *'Umrah* during Ramadhan and he intends to perform *Hajj* during the same year and the various types of *Hajj*

Noble Shaykh, what do you think about someone who performed *'Umrah* during the blessed month of Ramad-

han and he intends to perform *Hajj* during the same year. Does he have to sacrifice a sheep, and what is the best of the various types of *Hajj*?

Whoever performed *'Umrah* during Ramadhan, then he assumed *Ihram* for *Hajj* only (*Hajjul-Ifrad*) during that year, he does not have to sacrifice a sheep. This is because the sacrifice is only required for the person who performs *'Umrah* with *Hajj* together. This is due to Allâh's Statement:

﴿فَمَن تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ﴾

"So whoever combines 'Umrah with Hajj (i.e., as Hajjut-Tamattu' or Hajjul-Qiran), then he must slaughter a Hady (a sacrificial animal) such as he can afford."[1]

The person who performs *'Umrah* during Ramadhan, then he assumes *Ihram* for *Hajj* during its months, he is not called *Mutamatti'* (one who combines *'Umrah* with *Hajj*). The *Mutamatti'* is only the person who assumes *Ihram* for *'Umrah* during the months of *Hajj*, which are Shawwal, Thul-Qa'dah and the first 10 days of Thul-Hijjah, then he assumes *Ihram* for *Hajj* for that year. It is also the person who combines *Hajj* and *'Umrah* as *Hajj Qiran* (i.e., without removing *Ihram* between them). This is the *Mutamatti'* and he must sacrifice an animal (as a part of his *Hajj* rites).

It is better for whoever intends to perform *Hajj* to perform *'Umrah* along with his *Hajj*, and to perform *Tawaf* and *Sa'y* for it, get his hair cut and then remove his *Ihram*. Then he assumes *Ihram* during that same year. It is better that his *Ihram* for *Hajj* be on the 8th day of Thul-Hijjah as the Prophet ﷺ commanded his Companions to do during the Farewell *Hajj*.

The *Mutamatti'* must perform *Tawaf* and *Sa'y* for his *Hajj* just as he performed *Tawaf* and *Sa'y* for *'Umrah*. The *Sa'y* he performed for *'Umrah* does not suffice him for the *Sa'y* of *Hajj* according to

[1] *Al-Baqarah* 2:196.

most of the people of knowledge. This is what is correct due to what is proven by the authentic *Hadiths* from the Messenger of Allâh ﷺ concerning this.

Ash-Shaykh Ibn Baz

Whoever performs *'Umrah* before the Months of *Hajj* is not a *Mutamatti'*

Q If the Muslim arrives in Makkah before the months of *Hajj* with the intention of performing *Hajj*, then he performs *'Umrah* and remains (in Makkah) until *Hajj* time and performs *Hajj*, is his *Hajj* considered a *Tamattu'* or an *Ifrad*?

A His *Hajj* is considered an *Ifrad* because *At-Tamattu'* is when a person assumes *Ihram* for *'Umrah* during the months of *Hajj*, completes it, then assumes *Ihram* for *Hajj* the same year. However, if he combines them by assuming *Ihram* for both *Hajj* and *'Umrah* together, then he is a *Qarin* (i.e., he stays in *Ihram* until slaughtering his animal on the 10th of Thul-Hijjah). *At-Tamattu'* is specifically for whoever assumes *Ihram* for *'Umrah* during the months of *Hajj*, because when the months of *Hajj* begin, the *Ihram* for *Hajj* during that time is more particular than the *Ihram* for *'Umrah*. Thus, Allâh lightened the matter for his servants and allowed them — rather, he preferred for them — to make their *Ihram* for *'Umrah* so that they could combine it with the *Hajj*. Thus, they could do what was forbidden for them in *Ihram* (i.e., by removing the *Ihram* after performing the *'Umrah*).

Ash-Shaykh Ibn 'Uthaimin

Whoever performs *'Umrah* during Shawwal and returns to his People (i.e., his land) and then performs *Hajj* only, is he a *Mutamatti'*?

Q I performed *'Umrah* during the last days of the month of Shawwal, then I returned (to Makkah) with the

intention of performing only *Hajj* (*Al-Ifrad*). I would like to know about my situation. Am I considered a *Mutamatti'* and am I obligated to slaughter an animal or not?

If the person performs *'Umrah* during Shawwal or during Thul-Qa'dah, then he returns to his people (i.e., his land), then he comes for *Hajj* only (as a *Mufrid* performing *Hajjul-Ifrad*), the majority view is that he is not a *Mutamatti'* and he does not have to sacrifice an animal. This is because he went back to his land, then returned for *Hajj* as a *Mufrid*. This is what has been reported from 'Umar and his son ﷺ, and it is the view of the majority of the scholars. It is reported from Ibn 'Abbas ﷺ that such a person is a *Mutamatti'* and that he must sacrifice an animal, because he combined between *Hajj* and *'Umrah* during the months of *Hajj* in a single year. However, the majority says that if he returned to his land — and some even say if he travels a distance that is considered a journey — and then comes for *Hajj* only, he is not a *Mutamatti'*. It seems apparent — and Allâh knows best - that what has been related from 'Umar and his son ﷺ is the most correct view. That is that if he returns to his land, then he is not a *Mutamatti'*. However, if he comes for *Hajj* and performs *'Umrah*, then he stays in Jeddah or At-Ta'if, then he assumes *Ihram* for *Hajj*, then he is a *Mutamatti'*. His going out to At-Ta'if, Jeddah or Al-Madinah does not remove him from being a *Mutamatti'*, because he came to offer them both (*Hajj* and *'Umrah*) together. He only traveled to Jeddah or At-Ta'if for a need. The same applies to the person who travels to Al-Madinah for visiting the Prophet's Mosque. All of that does not remove the person from being a *Mutamatti'* according to what seems most apparent and most correct. Thus, such a person must sacrifice an animal, which is the sacrifice of the *Mutamatti'*. He must also make *Sa'y* for his *Hajj* just as he made *Sa'y* for his *'Umrah*.

The Permanent Committee

The most correct view is that he must sacrifice an animal for *At-Tamattu'*

Q During the year 1403 AH, I was staying in Ar-Riyadh. During Shawwal I went to Jeddah and from there I went to offer *'Umrah*. Then I returned to Jeddah and remained there until the *Hajj* season during the same year. Then I went and performed *Hajj*, after which I returned to Ar-Riyadh after completing *Hajj* and *'Umrah*. During this year one of the brothers informed me that I was considered a *Muqrin* combining *Hajj* and *'Umrah* and that I must slaughter an animal. Is this statement correct? Please give me a ruling, and may Allâh reward you with good.

A Many of the people of knowledge say that the *Mutamatti'* who combines *'Umrah* with *Hajj* and travels between them to Jeddah or Al-Madinah or At-Ta'if, then he assumes *Ihram* for *Hajj* from Jeddah or the *Miqat* of Al-Madinah if he traveled to Al-Madinah, or the *Miqat* of At-Ta'if if he traveled to At-Ta'if, he does not have to make the sacrifice of *At-Tamattu'*. Others among the people of knowledge have gone with the view that he still must make a sacrifice and the description of *At-Tamattu'* is not removed from him by this travel. Thus, he must offer the sacrifice of *At-Tamattu'*. This is the most correct view due to the generality of Allâh's Statement:

﴿فَمَن تَمَتَّعَ بِٱلْعُمْرَةِ إِلَى ٱلْحَجِّ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْيِ﴾

> *"So, whoever combines 'Umrah with Hajj (i.e., as Hajjut-Tamattu' or Hajjul-Qiran), then he must slaughter a Hady (a sacrificial animal) such as he can afford."* [1]

This is also due to the generality of the reported *Hadiths* concerning this. And success is from Allâh.

Ash-Shaykh Ibn Baz

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[1] *Al-Baqarah* 2:196.

The travel of the *Mutamatti'* to Jeddah does not break his *Tamattu'* (combination of *'Umrah* and *Hajj*)

I assumed *Ihram* for *'Umrah* and my intention was to perform *Hajjut-Tamattu'*. Then after *'Umrah* I left to Jeddah. So, am I considered a *Mutamatti'* if I return and complete my *Hajj*?

The correct view is that this person has not left his state of *At-Tamattu'* by this (travel to Jeddah). If he entered Makkah as a *Mutamatti'* after Ramadhan, assuming *Ihram* for *'Umrah* and intending *Hajj* with it, then after completing *'Umrah* he left to At-Ta'if or Jeddah for some needs, the correct view is that he remains a *Mutamatti'*.

Some of the people of knowledge have said that if he leaves, traveling the distance of what is considered a journey and he returns for *Hajj*, assuming *Ihram* for it, then by this he has broken his state of *Tamattu'* and he is a *Mufrid* (performing *Hajj* by itself). A group of the people of knowledge has said this. The view that is closest to the truth, if Allâh wills, and the most apparent is that by these dealings between *Hajj* and *'Umrah* he does not become a *Mufrid*. Rather, he remains in the state of *At-Tamattu'* unless he returns to his land, then comes back for *Hajj* as a *Mufrid*. In that case he is a *Mufrid* and he does not have to sacrifice an animal. This is the view of some of the people of knowledge and it has been reported from 'Umar and his son ﷺ. And success is from Allâh.

Ash-Shaykh Ibn Baz

He assumed *Ihram* as a *Mufrid* (for *Hajj* only) with a group, then they went to Al-Madinah, so what should he do?

I came with a group for *Hajj* and I assumed *Ihram* as a *Mufrid* (for *Hajj* only). Then my group wanted to travel

to Al-Madinah. Can I go to Al-Madinah and return to Makkah to perform *'Umrah* after a few days?

If the person performs *Hajj* with a group and he assumes *Ihram* for *Hajj* as a *Mufrid*, then he travels with them to visit the Prophet's Mosque, it is legislated for him to make his *Ihram* for *'Umrah*, make *Tawaf* and *Sa'y* for it, get his hair cut and remove his *Ihram*. Then he assumes *Ihram* for *Hajj* during its time (i.e., the 8th of Thul-Hijjah) and with that he becomes a *Mutamatti'*. He must sacrifice an animal for *At-Tamattu'* as the Prophet ﷺ ordered his Companions to do, who did not have sacrificial animals with them.

Ash-Shaykh Ibn Baz

If the *Mutamatti'* returns to his land, is his *Tamattu'* broken?

I heard that if the *Mutamatti'* returns to his land, his *Tamattu'* is broken. Is it permissible for him to perform *Hajj* as a *Mufrid* and is he not obligated to sacrifice an animal?

Yes, if the *Mutamatti'* returns to his land, then he sets out traveling for *Hajj* from his land, he is a *Mufrid*. This is because of the break between the *'Umrah* and the *Hajj* by his returning to his family. Hence, his starting his journey (from his land again) means that he is starting a new journey for *Hajj*, and therefore his *Hajj* is an *Ifrad* (*Hajj* only). Thus, he is not obligated to sacrifice an animal for *At-Tamattu'* in this case. However, if he did that in a tricky way to avoid it (the sacrifice), then it is not removed from him. This is because deception in trying to remove an obligation does not dictate its removal, just as deception in trying to do something forbidden does not dictate its allowance.

Ash-Shaykh Ibn 'Uthaimin

Whoever performs *Hajj* as a *Mutamatti'* and after *'Umrah* the Doctor advises him not to continue with *Hajj*, so he returns to his land

Q I went to perform *Hajj* as a *Mutamatti'*, and after I performed the *'Umrah* for *Hajj*, I went to Mina on the 3rd of Thul-Hijjah. After I removed my *Ihram* from *'Umrah*, I felt some pain in my knee that caused me not to be able to walk. I went to the doctor and he advised me not to continue with the *Hajj*. So, I returned to Al-Madinah where I live and I did not perform *Hajj*, even though when I intended the *'Umrah* I did not say: "If something prevents me, my place of removing *Ihram* is wherever You (Allâh) stop me." What I would like from you is to know whether or not I have to sacrifice an animal?

A If the situation is as mentioned, that you removed your *Ihram* from your *'Umrah* and you gave up performing the *Hajj*, then you returned to your land before assuming *Ihram* for it (*Hajj*), nothing is due on you. This is because the *'Umrah* was finished by its performance and removing *Ihram* from it, and you never assumed *Ihram* for the *Hajj*.

The Permanent Committee

The time of *At-Tamattu'* and the ruling on assuming *Ihram* for *Hajj* before the day of *At-Tarwiyyah* (the 8th of Thul-Hijjah)

Q Does the *Mutamatti'* have a limited time during which he can consider himself performing *At-Tamattu'*? Can he assume *Ihram* for *Hajj* before the day of *At-Tarwiyyah*?

A Yes, assuming *Ihram* for *Hajj At-Tamattu'* has a time limit, which is Shawwal, Thul-Qa'dah and the first 10 days of Thul-Hijjah. These are the months of *Hajj*. He cannot assume *Ihram* for *At-Tamattu'* before Shawwal or after the night of the

'Eid (i.e., the night before the 10th day of Thul-Hijjah). However, it is better for him to assume *Ihram* for *'Umrah* alone, then after he completes *'Umrah* he assumes *Ihram* for *Hajj* alone. This is the complete *At-Tamattu'*. If he assumes *Ihram* for them (*Hajj* and *'Umrah*) together, he is called a *Mutamatti'* and he is also called a *Qarin*. In both situations he is required to sacrifice an animal, which is called the sacrifice of *At-Tamattu'*. This is slaughtering a single animal that is suitable for sacrifice or sharing in a seventh of the sacrifice of a camel or a seventh of a cow. This is due to Allâh's Statement:

﴿فَمَن تَمَتَّعَ بِٱلْعُمْرَةِ إِلَى ٱلْحَجِّ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْيِ﴾

"So, whoever combines 'Umrah with Hajj (i.e., as Hajjut-Tamattu' or Hajjul-Qiran), then he must slaughter a Hady (a sacrificial animal) such as he can afford." [1]

If he is unable to perform the sacrifice, he fasts ten days — three days during the *Hajj* and seven days when he returns to his land — and the period of time (for the fasting) is not restricted as was mentioned earlier.

If the person assumes *Ihram* for *'Umrah* at the beginning of Shawwal and then removes his *Ihram* after completing the *'Umrah*, then the period of time between the *'Umrah* and the *Ihram* for *Hajj* becomes long. It lasts until the 8th of Thul-Hijjah, as the Companions of the Prophet ﷺ assumed *Ihram* like that due to the order of the Prophet ﷺ. He ordered them to remove their *Ihram* when they had originally come to perform *Hajjul-Ifrad* (*Hajj* only) and some of them had come performing *Hajjul-Qiran*, combining *Hajj* and *'Umrah* (without removing *Ihram*). Thus, the Prophet ﷺ ordered them to remove their *Ihram* except for whoever had brought his sacrificial animal with him. They performed *Tawaf* and *Sa'y*, got their hair cut, removed their *Ihram* and by that they became *Mutamatti'un* (pilgrims performing *Hajjut-Tamattu'*). Then, when it was the

[1] *Al-Baqarah* 2:196.

day of *At-Tarwiyyah*, which is the 8th day (of Thul-Hijjah), he ordered them to assume *Ihram* for the *Hajj* from where they were staying (in Makkah). This is what is best. If the person assumes *Ihram* for *Hajj* before that (the 8th), during the beginning of Thul-Hijjah or before that even, that suffices him and it is correct. However, it is better that his *Ihram* for *Hajj* be on the 8th (of Thul-Hijjah) as the Prophet's Companions did according to his command.

Ash-Shaykh Ibn Baz

The *Mufrid* only has to perform one *Sa'y*

Q I performed *Hajj* as a *Mufrid* (i.e., performing *Hajj* without *'Umrah*) and I performed the *Tawaf* and *Sa'y* before *'Arafah*. Am I obligated to perform *Tawaf* and *Sa'y* when coming back (to Makkah) from 'Arafat or with the *Tawaf* of *Al-Ifadhah* (*Tawaf* for coming back to Makkah from 'Arafat)?

A This person who performed *Hajj* as a *Mufrid*, and likewise if he had performed *Hajj* as a *Qarin*, combining *Hajj* and *'Umrah* together (without removing the *Ihram* between them), then he came to Makkah and made *Tawaf* and *Sa'y* and remained in his *Ihram* because he was a *Mufrid* or *Qarin*, and he did not come out of *Ihram*, then his *Sa'y* suffices him. He is not obligated to perform another *Sa'y*. If he makes *Tawaf* on the day of the *'Eid*, this is sufficient for him for the *Tawaf* of *Al-Ifadhah* if he did not come out of *Ihram* until the day of the sacrifice or he had his sacrificial animal with him. In this case he does not come out of *Ihram* until he concludes his acts of *Hajj* and *'Umrah*, both on the day of the sacrifice. The *Sa'y* that he performed when he first came is sufficient. It makes no difference whether he had a sacrificial animal with him or not, as long as he does not remove his *Ihram* until after coming back from 'Arafat on the day of the *'Eid*. Verily, his first *Sa'y* suffices him and he does not need to perform a second *Sa'y* if he combined *Hajj* and

'Umrah as a *Qarin* or if he performed *Hajj* as a *Mufrid*. The second *Sa'y* is only due on the *Mutamatti'* who assumes *Ihram* for *'Umrah* and performs *Tawaf* and *Sa'y* for this, then he removes the *Ihram*, then he assumes *Ihram* again for *Hajj*. This person must perform *Sa'y* a second time for *Hajj* that is not the *Sa'y* of *'Umrah*.

Ash-Shaykh Ibn Baz

The ruling on changing the type of *Hajj* from *Al-Qiran* to *At-Tamattu'*

Q What is the ruling on whoever assumes *Ihram* for *Hajj* and *'Umrah* as a *Qarin* and after the *'Umrah* he removes the *Ihram*? Is he considered a *Mutamatti'*?

A Yes, if he assumes *Ihram* for *Hajj* and *'Umrah* as a *Qarin*, then he performs *Tawaf* and *Sa'y*, and cuts his hair, making it an *'Umrah* only, he is called a *Mutamattu'* and he must make the sacrifice of *At-Tamattu'*.

Ash-Shaykh Ibn Baz

The ruling on whoever intended the *Hajj* of *Al-Ifrad* then he wants to perform *Hajj* of *At-Tamattu'*

Q What is the ruling on whoever intended to perform *Hajj* of *Al-Ifrad*, then after his arrival in Makkah, he changed it to a *Tamattu' Hajj* and performed *'Umrah* and came out of *Ihram* from the *'Umrah*? What is due on him and when does he assume *Ihram* for the *Hajj* and where does he assume the *Ihram*?

A This is better if a person came assuming *Ihram* for *Hajj* or *Hajj* and *'Umrah* together. It is better that he makes it an *'Umrah*. This is that which the Prophet ﷺ ordered his Companions to do when they came. Some of them were performing the *Hajj* of *Qiran* and some of them were performing

the *Hajj* of *Ifrad*, and they did not have sacrificial animals with them. Thus, the Prophet ﷺ ordered them to make their *Hajj* an *'Umrah*. Hence, they performed *Tawaf* and *Sa'y*, got their hair cut and removed their *Ihram*, except for those who had their sacrificial animals with them. Whoever had has sacrificial animal with him, he remains in his *Ihram* until he completes the rites of both of them (i.e., the *Hajj* and the *'Umrah*) if he is a *Qarin*, or the rites of the *Hajj* if he has assumed *Ihram* for *Hajj* only. This takes place on the day of the *'Eid*.

What is intended is that whoever comes to Makkah assuming *Ihram* for *Hajj* alone or for *Hajj* and *'Umrah* together, and he does not have a sacrificial animal with him, then the Sunnah is that he changes his *Ihram* to being for *'Umrah*. He then performs *Tawaf* and *Sa'y*, gets his hair cut and removes his *Ihram*. Then he assumes *Ihram* again for *Hajj* when its time comes (i.e., the 8th of Thul-Hijjah). He is then a *Mutamatti'* and he must make the sacrifice of *At-Tamattu'*.

Ash-Shaykh Ibn Baz

The abrogation of *Hajjul-Qiran* and *Hajjul-Ifrad*

Q Some people claim that *Hajjul-Qiran* and *Hajjul-Ifrad* have been abrogated by the command of the Prophet ﷺ to the Companions that they should perform *Hajjut-Tamattu'*. What does your eminence think about this statement?

A This statement is false and it is baseless in regards to correctness. The scholars have unanimously agreed that the types of *Hajj* are three — *Al-Ifrad*, *Al-Qiran* and *At-Tamattu'*. Whoever performs *Hajjul-Ifrad*, his *Ihram* is correct and his *Hajj* is correct, and he does not have to perform a sacrifice. However, if he changes his intent to *'Umrah*, then that is better according to the most correct view among the opinions of the people of knowledge. This is because the Prophet ﷺ ordered those who had assumed *Ihram* for *Hajj* or combined *Hajj* and *'Umrah* for *Al-Qiran* while they had not brought a sacrificial animal with them,

to make their *Ihram* for *'Umrah*. Thus, they performed *Tawaf* and *Sa'y*, got their hair cut and removed their *Ihram*. The Companions ﷺ did that and that was not an abrogation of the *Hajjul-Ifrad*. It was only direction from the Prophet ﷺ concerning that which is best and more complete. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling concerning whoever intends *Hajjut-Tamattu'* then he makes the *Talbiyyah* for a *Mufrid*

Q What is the ruling on whoever intends to perform *Hajj* as a *Mutamatti'* and after the *Miqat* he changes his mind and declares the *Talbiyyah* for *Hajj* as a *Mufrid*? Does he have to sacrifice an animal?

A The matter differs. If before his arrival at the *Miqat* he made intention to perform *Hajj* as a *Mutamatti'*, and then after arriving at the *Miqat* he changes his intention and assumes *Ihram* for *Hajj* only, there is no harm in that. In that case, he does not have to make a sacrifice. However, if he declared the *Talbiyyah* for *'Umrah* and *Hajj* together from the *Miqat* or before the *Miqat*, then he wanted to make it a *Hajj* (only), he may not do that. However, there is no harm for him to make it an *'Umrah*. As for making it a *Hajj* (only), he may not do that. Concerning *Al-Qiran*, it may not be changed to a *Hajj* (only), however it may be changed to an *'Umrah*, because it is easier for the believer and it is that which the Prophet ﷺ commanded his Companions to do. So, if the person assumes *Ihram* for both of them (*Hajj* and *'Umrah*) from the *Miqat*, then he wants to make it a *Hajj* only as a *Mufrid*, he may not do that. However, he can make it an *'Umrah* alone, and that is better for him. Therefore, he performs *Tawaf* and *Sa'y*, gets his hair cut and removes his *Ihram*. Then, he says the *Talbiyyah* for *Hajj* after that (on the 8th of Thul-Hijjah) and he becomes a *Mutamatti'*.

Ash-Shaykh Ibn Baz

He lost his Money and he was not able to sacrifice an Animal, so he changed his *Hajj* to *Hajjul-Ifrad*

Q What is the ruling on whoever assumed *Ihram* for *Hajj* and *'Umrah*, and after his arrival in Makkah he lost his spending money and was not able to sacrifice an animal and he changed his intention to a *Mufrid*? Is this correct? If the *Hajj* was for someone else who stipulated that he must perform *Hajjut-Tamattu'*, what should he do?

A He may not do that, even if he lost his spending money. If he is not able to perform the sacrifice, he fasts ten days - and all praise is due to Allâh. He fasts three days during the *Hajj* and seven days when he returns to his people (i.e., his land), and he remains a *Mutamatti'*. He must carry out the condition by assuming *Ihram* for *'Umrah*, performing *Tawaf* and *Sa'y*, getting his hair cut and removing his *Ihram*. Then, he says the *Talbiyyah* for *Hajj* (on the 8th) and he sacrifices an animal (on the 10th). If he is not able to perform the sacrifice, he fasts ten days - three days during *Hajj*, before *'Arafah*, and seven days when he returns to his family. This is because it is better that he do not fast on the day of *'Arafah* following the Prophet's Sunnah. For verily, he (the Prophet ﷺ) stood at 'Arafat while not fasting.

Ash-Shaykh Ibn Baz

The ruling on changing from *Hajjul-Ifrad* to *Hajjul-Qiran*

Q It has been mentioned in some books of *Hadith* that the *Hajj* pilgrim who is a *Mufrid* is not allowed to change from *Al-Ifrad* to *Al-Qiran*. Is this correct?

A The Messenger ﷺ ordered the *Hajj* pilgrims who were performing *Al-Ifrad* and *Al-Qiran* to change their *Hajj* (alone) and their *Qiran* to *'Umrah*, and no one has any say equal to the Messenger of Allâh ﷺ. So, the Messenger ﷺ gave this

order to his Companions during the Farewell *Hajj* and they were of three categories. A group of them had assumed *Ihram* for *Al-Qiran*, meaning they said the *Talbiyyah* for *Hajj* and *'Umrah*. A group of them said the *Talbiyyah* for *Hajj* alone as *Al-Ifrad*. Another group said the *Talbiyyah* for *'Umrah*. The Prophet ﷺ said the *Talbiyyah* for *Hajj* and *'Umrah* together, meaning that he was a *Qarin*, because he had brought his sacrificial animal with him. Therefore, he ordered them to make their *Ihram* for *'Umrah* when they came near Makkah, except for whoever had the sacrificial animal with him. So, when they entered Makkah, they performed *Tawaf* and *Sa'y*, and he stressed upon them to get their hair cut and remove their *Ihram*, except for whoever had the sacrificial animal with him. Thus, they heard and obeyed, and they cut their hair and removed their *Ihram*. This is the Sunnah for whoever comes as a *Mufrid* or a *Qarin* and he does not have a sacrificial animal with him. This is so that he may relax and not be burdened. Then, when the 8th day (of Thul-Hijjah) comes, he assumes *Ihram* for the *Hajj*. What this contains of tremendous good is obvious, because if the *Hajj* pilgrim remains in *Ihram* from the first of Thul-Hijjah or from the middle of Thul-Qa'dah while refraining from all that the person in *Ihram* is prohibited from, that will be difficult on him. Therefore, this ease from Allâh, glory is unto Him, the Most High, should be accepted. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on whoever performs *Hajj* and he does not perform *'Umrah*

Q I performed the obligatory *Hajj* and I did not perform *'Umrah* with it. Is there any sin on me? And whoever performs *'Umrah* with his *Hajj*, is he obligated to perform *'Umrah* another time?

A If the person performs *Hajj* and he has not performed *'Umrah* before in his life after reaching puberty, then he

should perform *'Umrah*, whether he does it before the *Hajj* or after it. However, if he performed *Hajj* and he did not perform *'Umrah* with it, then he should perform *'Umrah* after the *Hajj* if he had not (ever) performed *'Umrah* before. This is because Allâh obligated the *Hajj* and the *'Umrah*. A number of *Hadiths* from the Prophet ﷺ prove this. Therefore, it is obligatory upon the believer to perform it (the *'Umrah*). If he combines *Hajj* and *'Umrah* together as *Qiran*, there is no harm in that. This is done by him assuming *Ihram* for both of them together. He may also assume *Ihram* for *'Umrah*, then he may add *Hajj* to it (later as *At-Tamattu'*), and there is no harm in that. This suffices him. However, if he performs *Hajj* as a *Mufrid* by assuming *Ihram* for *Hajj* only from the *Miqat*, then remaining in his *Ihram* until he completes it, then he should perform an *'Umrah* afterwards from At-Tan'im or Al-Ji'ranah. This means that he performs the *'Umrah* from the area that is not in the sacred precincts, outside of the *Haram*. Thus, he assumes *Ihram* from there, then he enters (the *Haram* of Makkah) and performs *Tawaf* and *Sa'y*, and he gets his hair cut or shaved off entirely. This is the *'Umrah* as 'A'ishah ﵂ performed it. For verily, when she came for *Hajj* in *Ihram* for *'Umrah*, she got her menses near Makkah, so she was not able to perform *Tawaf* of the House (the *Ka'bah*) and complete her *'Umrah*. Thus, the Messenger ﷺ ordered her to assume *Ihram* for *Hajj* and to be a *Qarin* pilgrim. She did that and she completed her *Hajj*. Then, she requested permission from the Prophet ﷺ to perform *'Umrah*, because her female companions had performed *'Umrah* by itself. Thus, he ordered her brother, 'Abdur-Rahman to take her to At-Tan'im so she could assume *Ihram* for *'Umrah* from there. So, she went to At-Tan'im and assumed *Ihram* for *'Umrah*, and she entered (Makkah), performed *Tawaf* and *Sa'y*, and got her hair cut. This is a proof that whoever did not perform *'Umrah* during his *Hajj*, it suffices him to assume *Ihram* from *At-Tan'im* and similar places that are outside of the *Haram* area. Such a person is not required to go out to the *Miqat*. In reference to whoever has performed *'Umrah* and *Hajj* before, then he came again (to

Makkah) and Allâh facilitates for him the performance of *Hajj*, he is not obligated to perform *'Umrah*. He is sufficed by the previous *'Umrah*, because *'Umrah* is only obligatory once in a person's life, exactly like *Hajj*. Thus, the *Hajj* is (obligatory) once in a lifetime and so is the *'Umrah*.

Ash-Shaykh Ibn Baz

The *Ihram* and the Intention of the Type of *Hajj*

The meaning of *Ihram* and what is Sunnah concerning it

Q What is the meaning of *Ihram* and what is Sunnah for the *Muhrim* regarding it?

A The *Ihram* is the intention of the type of *Hajj*, and it is the contract of the heart to enter into the sacred rite of *Hajj* or *'Umrah*. This means that when the person enters into it, he abstains from the prohibited things that are forbidden for the *Muhrim*. *Ihram* is not simply wearing some clothes. For a person may wear a waist wrap and an upper garment while he is in his land without any intention, and he is not called a *Muhrim*. The *Muhrim* may also enter *Ihram* with his heart and leave his normal clothes on, like the shirt, the turban and similar things. In this case he has to offer a sacrifice (as expiation). It is Sunnah when assuming *Ihram* to perform complete bathing if it has been some time since he last cleaned himself and the period of his *Ihram* will be long. However, if he bathed and cleaned himself a day before, he does not need to renew his bathing. It is Sunnah for him to cleanse himself from any filth and anything similar, and to trim his moustache if it is long, due to fear that it may become longer after the *Ihram* and he will be bothered by it. It is also Sunnah for him to apply perfume before his intention, as it is prohibited for him to use it after making the intention for *Ihram*. This is so that he will not be bothered by sweat and filth. If he does not fear from that, there is no harm in him leaving it

off, and this is what is normally the case during these times due to the shortness of the period of *Ihram*, during both the *Hajj* and the *'Umrah*. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

The *Ihram* of the Prophet ﷺ, his *Talbiyyah* and his bathing for *Ihram*

Q Did the Messenger ﷺ assume *Ihram* and bathe from Al-Madinah Al-Munawwarah?

A The Prophet ﷺ assumed *Ihram* from Thul-Hulayfah, meaning he made intention for the type of *Hajj* rite and declared the *Talbiyyah* for it from there and not Al-Madinah. This is because the Prophet ﷺ designated the *Mawaqit* places for the rite of *Hajj* and *'Umrah*. Thus, he made Thul-Hulayfah a *Miqat* for the people of Al-Madinah, and he ﷺ would not legislate something and then contradict it. Indeed it has been confirmed from Ibn 'Abbas ﷺ that the Prophet ﷺ designated the *Miqat* for the people of Al-Madinah as Thul-Hulayfah; and for the people of Ash-Sham, Al-Juhfah; and for the people of Najd, Qarnul-Manazil; and for the people of Al-Yemen, Yalamlam. Then he said:

«هُنَّ لَهُنَّ وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ وَمَنْ كَانَ دُوْنَ ذٰلِكَ فَمِنْ حَيْثُ أَنْشَأَ حَتَّى أَهْلُ مَكَّةَ مِنْ مِكَّةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah. Whoever is closer (to Makkah) than that, then he assumes Ihram from wherever he sets out. Even the people of Makkah assume Ihram from Makkah."[1]

This was recorded by Al-Bukhari and Muslim.

It has been confirmed from Salim bin 'Abdullah bin 'Umar ﷺ

[1] Al-Bukhari no. 1524 and Muslim. no. 1181.

that he heard his father ('Abdullah bin 'Umar) saying: "The Messenger of Allâh did not assume *Ihram* except from the *Masjid*, meaning the *Masjid* of Thul-Hulayfah."

This was recorded by Al-Bukhari and Muslim. The Prophet ﷺ also bathed at Thul-Hulayfah as is reported from Kharijah bin Zaid bin Thabit from his father (Zaid bin Thabit) that he saw the Prophet ﷺ removing his clothes to assume his *Ihram* and he bathed. This was recorded by At-Tirmithi. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

It is better to bathe before assuming *Ihram*

Q If the person who wants to perform *Hajj* comes down from Makkah to Mina on the 8th of Thul-Hijjah and he bathes at Mina, does that suffice him, and what is due upon him?

A If he bathed at Mina, there is no harm on him concerning that. However, it is better for him to bathe before assuming his *Ihram* in his house or in any place in Makkah. Then he should assume *Ihram* for *Hajj* at his place (in Makkah). He does not need to enter the Sacred Mosque (*Al-Masjid Al-Haram*) for *Tawaf*, because the person who goes out to Mina on the day of *Tarwiyyah* does not have to perform a Farewell *Tawaf* (*Tawaful-Wada'*). If he assumes *Ihram* without bathing, there is no problem with that. If he bathes after that in Mina while he is in the state of *Ihram*, there is no harm in that. However, it is better and it is the Sunnah that his bathing be before he enters *Ihram*. If he does not bathe, but instead assumes *Ihram* without bathing or without *Wudhu'* only, there is no problem with that, because the bathing is a Sunnah and the *Wudhu'* is a Sunnah in this case.

Ash-Shaykh Ibn Baz

The ruling on (pronouncing) the Intention during *Hajj and 'Umrah*

Q Is it permissible to pronounce the intentions for performing *'Umrah* or *Hajj* or *Tawaf* and *Sa'y* at the Sacred House? When is it permissible to pronounce the intention?

A Pronouncing the intention has not been reported from the Prophet ﷺ for the prayer (*As-Salah*), the purification (i.e., *Wudhu'* and *Ghusl*), the fasting or anything from his acts of worship. Even for *Hajj* and *'Umrah*, the Prophet ﷺ would not say when he wanted to perform them: "O Allâh, verily I intend such and such." That has not been confirmed from him nor did he order any of his Companions to do it. The most that has been reported concerning this matter is that Dhuba'ah bint Zubair ﷺ complained to him that she wanted to perform *Hajj*, but she was sick. Therefore, the Prophet ﷺ said to her:

«حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ حَبَسْتَنِي فَإِنَّ لَكِ عَلَى رَبِّكِ مَااسْتَثْنَيتَ»

"Perform Hajj and make a stipulation (by saying): 'My place of removing Ihram is wherever You stop me.' For verily, you will get from your Lord what you made as an exception."[1]

Here the statement is with the tongue only because the intent to make *Hajj* has the status of a vow, and the vow is with the tongue. This is because if the person intends to make a vow in his heart, it is not a vow and it is not considered as a vow. Since the *Hajj* is like a vow in the obligation to fulfill it upon beginning it, the Prophet ﷺ commanded her to stipulate a condition with her tongue and to say: "If something (or someone) prevents me, then my place of removing *Ihram* is wherever You stop me."

In reference to what has been confirmed by the *Hadith* reported

[1] Al-Bukhari no. 5089, Muslim no. 1207 and An-Nasa'i no. 2769.

from the Messenger of Allâh ﷺ of him saying:

«إِنَّ جِبْرِيْلَ أَتَانِي وَقَالَ: صَلِّ فِي هَذَا الْوَادِي الْمُبَارَكِ وَقُلْ عُمْرَة فِي حَجَّةٍ أَوْ عُمْرَة وَحَجَّة»

"Verily, Jibril came to me and said, 'Pray in this blessed valley and say: An 'Umrah in a Hajj' (or he said: 'An 'Umrah and a Hajj')."

This does not mean that he pronounced the intentions verbally. Rather, this means that he mentioned his type of *Hajj* within his *Talbiyyah*. Other than this, the Prophet ﷺ did not say the intentions verbally.

Ash-Shaykh Ibn 'Uthaimin

The Place of the Intention is the Heart and it is recommended to pronounce it verbally during the *Hajj*

Q Is the intention of *Ihram* in pronouncing it verbally with the tongue? What is its description if the *Hajj* pilgrim is performing *Hajj* on behalf of another person?

A The place of the intention is the heart. Its description is that the person intends in his heart that he is performing *Hajj* on behalf of so-and-so or his brother or so-and-so, the son of so-and-so. This is how the intention is done. Along with this, it is recommended to pronounce it by saying: "O Allâh, I am here at Your service to perform *Hajj* for so-and-so," or "I am at Your service to perform *'Umrah* for so-and-so." This could be said for his father or so-and-so, the son of so-and-so. This is so that the person affirms what is in his heart by saying it. This is because the Messenger ﷺ verbally pronounced the *Hajj* and he verbally pronounced the *'Umrah*. This proves the legislation of the person verbally stating what he intends, in following the Prophet ﷺ. Likewise, the Companions verbally stated that as their Prophet ﷺ taught them, and they used to raise their voices

with it. This is the Sunnah. If the person does not pronounce it and he only intends it (in his heart), the intention suffices. He performs the deeds of *Hajj* just like what he would do for himself. He says the *Talbiyyah* unrestrictedly and repeats the *Talbiyyah* unrestrictedly without the need to mention so-and-so or so-and-so, just as he would say the *Talbiyyah* for himself. The matter is just as if he was performing *Hajj* for himself. However, if he specifies the person when mentioning the type of *Hajj*, that is better in regards to the *Talbiyyah*. Then, he continues in the *Talbiyyah* just like the other *Hajj* pilgrims and those who are performing *'Umrah*. He says: "I am here at Your service, O Allâh, I am here at Your service. I am here at Your service, You have no partner, I am here at Your service. Verily, all praise and favor belongs to You, as well as the sovereignty. You have no partner. I am here at Your service, O Allâh, I am here at Your service. I am here at Your service, O God of Truth, I am here at Your service." The intent here is that he says the *Talbiyyah* just as he says the *Talbiyyah* for himself, without mentioning anyone, except at the beginning when he mentions the type of *Hajj*. When doing so he says: "I am here at Your service performing *Hajj* for so-and-so," or he says: "*'Umrah* for so-and-so," or he says: "I am here at Your service performing *'Umrah* and *Hajj* for so-and-so." This is better at the beginning, when he first assumes *Ihram* with the intention.

Ash-Shaykh Ibn Baz

Ihram for two *Hajjs* is not permissible

Q Is it correct to assume *Ihram* for two *Hajjs* or two *'Umrahs*? What is the *Talbiyyah*, what are its conditions, what is its ruling and when is its time?

A It is not correct for a person to assume *Ihram* in a single year for two *Hajjs*. It is only permissible to assume *Ihram* for one *Hajj* each year. Likewise, it is not permissible to assume *Ihram* for two *'Umrahs* at one time. Also one *Hajj* cannot be made for two people and one *'Umrah* cannot be made for two

people. Nothing has been related from the evidences concerning that. In reference to the *Talbiyyah*, it is an answer to the call of Allâh, the Most High, in His Statement:

﴿وَأَذِّن فِي ٱلنَّاسِ بِٱلْحَجِّ﴾

"And proclaim to mankind the Hajj (pilgrimage)."[1]

The wording of the *Talbiyyah* is: "I am here at Your service, O Allâh, I am here at Your service. I am here at Your service, You have no partner, I am here at Your service. Verily, all praise and favor belongs to You, as well as sovereignty. You have no partner." It is permissible to add to that whatever is easy. For example, like your saying: "I am here at Your service and to please You, and all the good is in Your Hands, and the evil is not attributed to You. I am here at Your service and the hopes and deeds are for You. I am here at Your service, truly, truly, seeking to worship (You) and being subservient (to You)." The ruling of the *Talbiyyah* is that it is *Sunnat Mu'kkadah* a Compulsory Sunnah. Some of the scholars have made it a pillar as it is an apparent symbol of the *Hajj* pilgrim and the pilgrim performing *'Umrah*. Its time is after the intention at the end of assuming *Ihram* while the person is at his place of prayer. He also says it when he rides some transport and when he stops at some place. He says it every time he ascends a high place or descends into a valley or hears someone else saying it or meets some friends or does something prohibited or prays an obligatory prayer. He also says it when night begins or when day begins and so forth from the changes of conditions that occur. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

Offering the Prayer of *Ihram* is not a Condition for its fulfillment

Q Is the *Ihram* of the Muslim for *Hajj* or *'Umrah* fulfilled without him performing two *Rak'ahs* of prayer for

[1] *Al-Hajj* 22:27.

Ihram? Also, is the vocal pronouncement of the intention a condition for the fulfillment of the *Ihram*?

A Performing prayer before *Ihram* is not a condition regarding the *Ihram*. That is only recommended according to most of the scholars. What is legislated for the person is that he intend in his heart what he wants of *Hajj* or *'Umrah*, and he pronounces that by his saying: "O Allâh, I am here at Your service performing *'Umrah*," or "O Allâh, I am here at Your service performing *Hajj*." Or he says them together if he wants to perform *Hajjul-Qiran*, as the Prophet ﷺ and his Companions ﷺ did. Pronouncing the intention is not a condition. Rather, the intention itself (in the heart) is sufficient. Then, he says the legislated *Talbiyyah*, which is: "I am here at Your service, O Allâh, I am here at Your service. I am here at Your service, You have no partner. I am here at Your service. Verily, all praise and favor belongs to You, as well as the sovereignty. You have no partner."

This is the *Talbiyyah* of the Prophet ﷺ that has been confirmed from him in the two *Sahihs* and other books.

Ash-Shaykh Ibn Baz

Are two *Rak'ahs* of Prayer a Condition for *Ihram*?

Q Are two *Rak'ahs* of prayer a condition for *Ihram* or not?

A That is not a condition. The scholars only differ concerning its being recommended. The majority of the scholars hold the view that it is recommended to pray two *Rak'ahs* (with the *Ihram*). The person performs *Wudhu'*, prays two *Rak'ahs* and then says the *Talbiyyah*. They support this argument with the fact that the Messenger ﷺ assumed *Ihram* after the prayer, meaning that he prayed *Az-Zuhr*, then he entered *Ihram* during the Farewell *Hajj*. He ﷺ said:

«أَتَانِي اللَّيْلَةَ آتٍ مِّنْ رَبِّي فَقَالَ: صَلِّ فِي هَذَا الْوَادِي الْمُبَارَكِ، وَقُلْ

«عُمْرَةٌ فِي حَجَّةٍ أَوْ عُمْرَةٌ وَحَجَّةٌ»

"A comer (i.e., angel) came to me from my Lord and said, 'Pray in this blessed valley and say: An 'Umrah in a Hajj.'"[1]

This proves the legislation of praying two *Rak'ahs*, and this is the opinion of the majority of the people of knowledge.

Others said that there is no text concerning this (i.e., praying two *Rak'ahs*). For verily, the statement:

«أَتَانِي آتٍ مِّنْ رَّبِّي وَقَالَ صَلِّ فِي هَذَا الْوَادِي الْمُبَارَكِ»

"A comer (i.e., angel) came to me from my Lord and said, 'Pray in this blessed valley.'"

The intended meaning could conceivably be understood as referring to the obligatory prayer among the five prayers, and there is no text concerning two *Rak'ahs* of *Ihram*. The fact that he entered *Ihram* after the obligatory prayer does not prove the legislation of two special *Rak'ahs* for *Ihram*. It only proves that if he entered *Ihram* for *'Umrah* or *Hajj* after the prayer it is better, if that is easy for the person.

Ash-Shaykh Ibn Baz

The ruling on assuming *Ihram* before the *Miqat*

Q What is the ruling on assuming *Ihram* before the *Miqat* and is the *Ihram* fulfilled for *Hajj* if it is assumed before the months of *Hajj*?

A There is no harm in assuming *Ihram* before the place of *Miqat*. This is like if you assume *Ihram* from At-Ta'if by cleaning yourself, wearing your *Ihram* clothing, making your intention and saying the *Talbiyyah*. It is permissible for the people of Al-Madinah to assume *Ihram* from their homes. Likewise, it is permissible for the people of Egypt if they intend

[1] Al-Bukhari no. 1534.

to travel, for one of them to assume *Ihram* when he comes out of his house or when he rides the airplane heading for Jeddah and so forth. However, this is contrary to what is preferred. In reference to assuming *Ihram* for *Hajj* before its months, like a person assuming *Ihram* for *Hajj* during Ramadhan, some of the scholars have prohibited this. They consider it like the *Ihram* for the prayer (i.e., the opening *Takbeer*) before the time of the prayer enters. However, it is probably closer to being correct that it counts, because doing something early does not harm regarding the deed itself. However, it makes things difficult upon the person who has assumed *Ihram* due to the length of the time of the *Ihram*, as he will remain in *Ihram* until the day of *'Arafah* and the day of Sacrifice. This contains hardship. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

Whoever is within the Boundaries of the *Mawaqit* assumes *Ihram from his Place*

Q Where does the person who lives within the boundaries of the *Mawaqit* assume *Ihram*?

A Whoever is within the boundaries of the *Mawaqit* assumes *Ihram* from his place, like the people of Ummus -Salam and the people of Bahrah. They assume *Ihram* from their place. Also, the people of Jeddah assume *Ihram* from their land. This is due to the Prophet's statement in a *Hadith* of Ibn 'Abbas ﷺ:

«وَمَنْ كَانَ دُونَ ذٰلِكَ - أَيْ دُونَ الْمَوَاقِيتِ - فَمُهَلُّهُ مِن حَيْثُ أَنْشَأَ»

"Whoever is within that - meaning within the boundaries of the Mawaqit - then his place of assuming Ihram is from wherever he begins."[1]

In another wording he said:

[1] Al-Bukhari no. 1524 and Muslim no. 1181.

«فَمُهَلُّهُ مِنْ أَهْلِهِ حَتَّى أَهْلُ مَكَّةَ يُهِلُّونَ مِنْهَا»

"Then his place of assuming Ihram is from his people (i.e., his home). Even the people of Makkah assume Ihram from it."[1]

Ash-Shaykh Ibn Baz

Whoever is in Mina then he assumes *Ihram* from there

Q What is the ruling concerning whoever was in Mina before the day of *At-Tarwiyyah* (the 8th of Thul-Hijjah)? Does he enter Makkah and assume *Ihram* from there or does he assume *Ihram* from Mina?

A Whoever stays in Mina then it is legislated for him to assume *Ihram* from Mina, and all praise is due to Allâh. There is no need for him to enter into Makkah. Rather, he says the *Talbiyyah* from his place for *Hajj* when the time comes.

Ash-Shaykh Ibn Baz

Assuming *Ihram* on the Day of *At-Tarwiyyah*

Q From where does the *Hajj* pilgrim assume *Ihram* on the day of *At-Tarwiyyah*?

A He assumes *Ihram* from his place just as the Companions of the Prophet ﷺ assumed *Ihram* from their places in Al-Abtah during the Farewell *Hajj*, according to the order of the Prophet ﷺ.

Likewise, whoever is inside of Makkah, he assumes *Ihram* from his place. This is due to the previous *Hadith* of Ibn 'Abbas ﷺ, which contains the Prophet's statement:

«وَمَنْ كَانَ دُونَ ذٰلِكَ أَيْ دُونَ الْمَوَاقِيتِ فَمُهَلُّهُ مِنْ أَهْلِهِ حَتَّى أَهْلُ مَكَّةَ

[1] Al-Bukhari no. 1526 and Muslim no. 1181.

يُهِلُّونَ مِنْ مَكَّةَ»

"And whoever is within that - meaning within the boundaries of the Mawaqit - then his place of assuming Ihram is from his people (i.e., his home). Even the people of Makkah assume Ihram from Makkah."[1]

This *Hadith*'s authenticity is agreed upon.

Ash-Shaykh Ibn Baz

When does the Person who arrives by air or sea assume *Ihram*?

When does the *Hajj* pilgrim or the person coming for *'Umrah* by air assume *Ihram*?

The person who arrives by air or sea assumes *Ihram* when they reach the equivalent distance of the *Miqat*, just like the person who arrives by land. When he reaches a distance equal to the distance of the *Miqat*, he assumes *Ihram* in the air or on the sea or slightly before it in order to be safe due to the speed of the plane and the speed of the ship. And success is from Allâh.

Ash-Shaykh Ibn Baz

The ruling on assuming *Ihram* from Jeddah

Some people give *Fatwa* (i.e., religious ruling) for the person who arrives for *Hajj* by air that he may assume *Ihram* from Jeddah and others are against that. So, what is the correct position regarding this issue? Please give us a ruling, and may Allâh reward you.

What is obligatory upon all of the *Hajj* pilgrims, whether they come by air, sea or land, is that they assume *Ihram*

[1] Al-Bukhari no. 1526 and Muslim no. 1181.

from the *Miqat* that they pass by land or what is equivalent to its distance by air or sea. This is due to the Prophet's statement when he designated the *Mawaqit*:

«هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah."[1]

This *Hadith* is agreed upon.

In reference to Jeddah, it is not a *Miqat* for those who arrive from other places. It is only a *Miqat* for its people (who live there) and for those who come to it without intending to perform *Hajj* or *'Umrah*, then they make the decision to perform *Hajj* or *'Umrah* from there.

Ash-Shaykh Ibn Baz

He assumed *Ihram* for *Hajj* from the city of Jeddah due to ignorance

Q A man assumed *Ihram* for *Hajj* from Jeddah. Then when he arrived in Al-Madinah after *Hajj*, he was told that he had some deficiency (in his *Hajj*). Thus, he asks does he have to sacrifice an animal or not?

A It is obligatory for whoever intends to perform *Hajj* or *'Umrah* to assume *Ihram* from the *Miqat* that he passes by or a place that is equivalent to it in distance. If he passes it and assumes *Ihram* from a place that is closer than it to Makkah, then he must sacrifice an animal according to most of the people of knowledge. There is no doubt that Jeddah is within the boundaries of the *Mawaqit*. Therefore, whoever delays his *Ihram* until Jeddah, then he has passed the legislated *Miqat*. Thus, he must sacrifice an animal, which is a sheep that is at least a year-

[1] Al-Bukhari no. 1524 and Muslim no. 1181.

old or a two-year-old goat or a seventh of the sacrifice of a camel, or a seventh of the sacrifice of a cow. He is to perform this slaughter in the area of the *Haram* and distribute it among its poor people. This is due to what has been confirmed from Ibn 'Abbas ﷺ that he said: "Whoever leaves off a *Hajj* rite or forgets it, then he must shed some blood (i.e., perform a sacrifice)." May prayers of blessing and peace be upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

What is the ruling on whoever comes to Makkah for a reason other than *Hajj*, then he intends to perform *Hajj* ?

Q What is the ruling on whoever comes to Makkah for some work or something important, then he gets the opportunity to perform *Hajj*? Does he assume *Ihram* from his place (in Makkah) or does he go out to the area outside the Sacred Area (i.e., outside the *Haram* area)?

A If he comes to Makkah and he does not intend to perform *Hajj* or *'Umrah*, and he has only come for some need, like visiting a relative or visiting a sick person or business, and he has not intended *Hajj* or *'Umrah*, then he decides to perform *Hajj* or *'Umrah*, he assumes *Ihram* from his place for *Hajj*. It makes no difference if he is inside of Makkah or in the outskirts of Makkah. However, if he intends to perform *'Umrah*, he must go out to the area outside of the Sacred Area, such as At-Tan'im or Al-Ji'ranah or some other place if he wants to perform *'Umrah*. For verily, the Sunnah — rather it is *Wajib* (compulsory) — is that he goes outside of the Sacred Area as the Prophet ﷺ ordered 'A'ishah ﷺ to do when she wanted to perform *'Umrah*. He ordered her to go out to At-Tan'im and he ordered her brother, 'Abdur-Rahman, to go out with her from the Sacred Area to the area outside of the sacred boundaries, meaning At-Tan'im or some other place. This is obligatory in reference to

whoever wants to perform *'Umrah*. However, in reference to whoever wants to perform *Hajj*, then he says the *Talbiyyah* from his place, regardless of whether it is inside the Sacred Area (the *Haram*) or outside the Sacred Area, as has been mentioned previously.

Ash-Shaykh Ibn Baz

These People assume *Ihram* from their Residences

Q Last year I went to Jeddah to visit some relatives and after staying there a number of days, I made intentions to perform *Hajj*. So, I assumed *Ihram* from the *Miqat* of Jeddah and I went for *Hajj*. Then, one of the brothers informed me that I had passed the *Miqat* and that I had to slaughter an animal. Is this statement correct, while knowing that I went to Jeddah from Ar-Riyadh for a visit and I did not intend to perform *Hajj*? Please give us a ruling. May Allâh reward you with good.

A If you did not intend to perform *Hajj* when you came from Ar-Riyadh and you only made the intention for *Hajj* while you were in Jeddah, your *Ihram* is correct. You do not have to perform a sacrifice. This is due to the Prophet's statement when he designated the *Mawaqit*:

«هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ وَمَنْ كَانَ دُونَ ذٰلِكَ فَمِنْ حَيْثُ أَنْشَأَ حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ»

"They are for them and whoever passes by them from other than their people, from those who intend to perform Hajj and 'Umrah. And whoever is closer than that (to Makkah), then his place of assuming Ihram is from where he begins. Even the people of Makkah assume Ihram from Makkah."[1]

This *Hadith* is agreed upon.

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[1] Al-Bukhari no. 1524 and Muslim no. 1181.

The people of Jeddah are included in this *Hadith*, as well as the people of Ummus-Salam, the people of Bahrah and whoever is similar to them from those who live outside the *Haram* but inside of the *Mawaqit* boundaries. When these people intend to perform *Hajj* or *'Umrah*, they assume *Ihram* from their residences. And success is from Allâh.

Ash-Shaykh Ibn Baz

The ruling on the *Muhrim* remaining in his *Ihram* for a long period of time

Q I went to perform *'Umrah* during Ramadhan and I had my mother with me. I assumed *Ihram* above Abyar 'Ali by airplane and we landed in Jeddah. Then we stayed in Jeddah and when we broke our fast, we went that evening to Makkah to offer the *'Umrah* and we did not remove our *Ihram* until we completed it. Is there any sin on us for staying some time in Jeddah while we were in *Ihram*? Please benefit us with an answer. May Allâh reward you with good.

A If the reality is what the questioner has mentioned, there is no sin on you or your mother for staying in Jeddah while you were in *Ihram*. This is because it is not obligatory upon the *Muhrim* to continue travel on his way until he performs *'Umrah*. Rather, he may rest on the way and stay where he wishes from the places due to a need that calls for that while he is in his *Ihram*. May Allâh give everyone success.

Ash-Shaykh Ibn Baz

The Clothing of *Ihram*

He cannot wear the clothing of *Ihram*

Q A man desires to perform *'Umrah* during Ramadhan, but he is not able to wear the *Ihram* clothing because he is crippled and paralyzed. Can he perform *'Umrah* in his (normal) clothes and does he have to make expiation?

Yes, if the person is not able to wear the clothing of *Ihram*, then he wears whatever other clothing that is suitable and permissible for him. According to the people of knowledge he must either slaughter a sheep and distribute it among the poor people or feed six poor people, giving each poor person half a *Sa'* of food, or fast three days. This is what the people of knowledge have said based on an analogy with what has been related concerning shaving the head, as Allâh said:

﴿وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحِلَّهُ ۚ فَمَن كَانَ مِنكُم مَّرِيضًا أَوْ بِهِ أَذًى مِّن رَّأْسِهِ فَفِدْيَةٌ مِّن صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ﴾

"And do not shave your heads until the sacrificial animal reaches its place of slaughter. So, whoever among you is ill or he has some ailment that bothers his head, he must give a ransom of fasting or charity or sacrificing an animal."[1]

Indeed the Prophet ﷺ explained the fasting is for three days, the charity is feeding six poor people, giving each poor person half a *Sa'* of food, and the sacrifice is to slaughter a sheep.

Ash-Shaykh Ibn 'Uthaimin

The ruling on putting Perfume on the *Ihram* clothing

What is the ruling on putting perfume on the *Ihram* clothing before making the intention and saying the *Talbiyyah*?

Perfume should not be put on the upper garment and the lower waist garment. The Sunnah is to apply perfume to the body, like the person's head, his beard, and armpits and so forth. In reference to the clothing, perfume should not be applied to them when assuming *Ihram*. This is due to the Prophet's statement:

«لَا يَلْبَسُوا مِنَ الثِّيَابِ مَسَّهُ زَعْفَرَانٌ وَلَا الْوَرْسُ»

[1] *Al-Baqarah* 2:196.

"He (the Muhrim) does not wear anything from the clothing that has been touched by saffron or Al-Wars."[1]

Thus, the Sunnah is that the person applies perfume to his body only. In reference to the clothing of *Ihram*, he does not apply perfume to them. If he applies perfume to them, he should not wear them until he washes them or changes them.

Ash-Shaykh Ibn Baz

How to wear the upper garment known as *Rida'* for *Ihram*

Q Is it better for the *Muhrim* to cover the two shoulders or to uncover one of them during the *Ihram*?

A The Sunnah for the *Muhrim* is that he places the *Rida'* (upper garment) over both of his shoulders and put its ends on his chest. This is the Sunnah and it is what the Prophet ﷺ did. So, if the person wants to perform the *Tawaf* of Arrival (*Tawaful-Qudum*), he does *Al-Idhtiba'*. This is by him placing the center of his *Rida'* under his right armpit and its edges over his left shoulder. Thus, he uncovers his right shoulder. This is specifically for the *Tawaf* of Arrival, meaning when the person first arrives in Makkah for *Hajj* or *'Umrah*. Then, when he completes the *Tawaf*, he adjusts the *Rida'* and places it over both of his shoulders, and he prays two *Rak'ahs* of *Tawaf*. The person who always keeps one shoulder uncovered, this is opposed to the Sunnah, and is as uncovering both of the shoulders. The Sunnah is only to cover both of them with the *Rida'* while the person is in *Ihram*. If the person takes off the *Rida'* and does not cover his shoulders while he is sitting or eating or talking with his brothers, there is no harm in that. However, the Sunnah is that when the person wears the *Rida'*, it should be over his two shoulders and its ends should be on his chest.

Ash-Shaykh Ibn Baz

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[1] Al-Bukhari no. 1542, Muslim no. 1177 and Ahmad no. 2:59.

The ruling on wearing a Strap or Belt or Pouch Belt

Q What is the ruling on wearing a belt for the *Hajj* pilgrim who is a *Muhrim* (i.e., in *Ihram*) in order to keep his money in it? Is this permissible for him or is it considered a stitched garment that is not permissible to wear?

A There is no harm in wearing a belt and things similar to it. Likewise, a strap or a handkerchief for tying one's waist garment and saving one's needed possessions, such as money and other things, is allowed. And success is from Allâh.

Ash-Shaykh Ibn Baz

The ruling on changing the Garments of *Ihram*

Q Is it permissible to change the garments of *Ihram* in order to wash them?

A There is no harm in washing the *Ihram* garments and there is no harm in changing them and using other *Ihram* garments that are new or washed.

Ash-Shaykh Ibn Baz

The ruling on assuming *Ihram* while wearing Socks and Gloves

Q What is the ruling on assuming *Ihram* while wearing socks and gloves, and what is the evidence for that?

A It is not permissible for the man to assume *Ihram* wearing cloth socks or leather socks except if he cannot find two sandals. This is due to the Prophet's statement:

«مَنْ لَّمْ يَجِدِ النَّعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ وَمَنْ لَمْ يَجِدْ إِزَارًا فَلْيَلْبَسِ السَّرَاوِيلَ»

"And whoever does not find two sandals, then let him wear two

leather socks, and whoever cannot find a lower waist garment, then let him wear pants."[1]

This *Hadith*'s authenticity is agreed upon. In reference to the woman, there is no problem with her wearing leather socks and cloth socks while in *Ihram*, because she is *'Awrah* (that which should be concealed) and wearing them is more concealing for her. If she lets her garments hang low so that they cover her feet, then that is fine, and it suffices without her having to wear cloth socks and leather socks in prayer and at other times. In reference to gloves, neither the man nor the woman may wear them while being in *Ihram*. This is due to the Prophet's statement concerning the woman in *Ihram*:

«لَا تَنْتَقِبِ الْمُحْرِمَةُ وَلَا تَلْبَسِ الْقُفَّازَيْنِ»

"The woman should not wear the Niqab nor should she wear the two gloves."[2]

This was recorded by Al-Bukhari in his *Sahih*. If this is forbidden for the woman, it is even more forbidden for the men. For this reason the Prophet ﷺ said concerning the man who died while in *Ihram*:

«اِغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوبَيْهِ، (وَلَا تُحَنِّطُوهُ) وَلَا تُخَمِّرُوا رَأْسَهُ وَلَا وَجْهَهُ فَإِنَّهُ يُبْعَثُ يَومَ الْقِيَامَةِ مُلَبِّيًا»

"Wash him with water and Sidr, and shroud him in his two garments. Do not apply Hunut to him, and do not cover his head and face. For verily, he will be raised on the Day of Resurrection saying the Talbiyyah."[3]

This *Hadith*'s authenticity is agreed upon and the wording here is that of Muslim. *Hunut* (in the *Hadith*) means perfume. The woman who is in *Ihram* must cover her face with a headscarf or something similar to it in place of the *Niqab* (face veil) when she is around men. This is due to what was reported from 'A'ishah ﷺ

[1] Al-Bukhari no. 1841 and Muslim no. 1179.
[2] Al-Bukhari no. 1838.
[3] Al-Bukhari no. 1849 and Muslim no. 1206.

that she said:

«كَانَ الرُّكْبَانُ يَمُرُّونَ بِنَا وَنَحْنُ مَعَ رَسُولِ اللهِ ﷺ مُحْرِمَاتٌ فَإِذَا حَاذُوا بِنَا سَدَلَتْ إِحْدَانَا جِلْبَابَهَا مِنْ رَأْسِهَا عَلَى وَجْهِهَا، فَإِذَا جَاوَزُونَا كَشَفْنَاهُ»

"The riders used to pass by us when we were with the Messenger of Allâh ﷺ, and when they came to where we were, (each) one of us would lower her overgarment (Jilbab) from her head over her face. Then, when they passed us, we would uncover it (the face)."[1]

This was recorded by Abu Dawud and Ibn Majah, and Ad-Daraqutni recorded a similar *Hadith* from Umm Salamah.

Ash-Shaykh Ibn Baz

The ruling on the Woman's *Ihram* while wearing Socks and Gloves

Q What is the ruling of the woman's *Ihram* while she is wearing socks and gloves? Is it permissible for her to remove what she assumed *Ihram* in?

A It is better for her to assume *Ihram* in socks or shoes. This is better for her and more concealing for her. If the garments contain some added length, then that is sufficient. If she assumed *Ihram* in socks, then she removed them, there is no harm in that. This is like the man who assumes *Ihram* in some sandals and then he removes them if he wishes, and there is no harm in that for him. However, she may not assume *Ihram* while wearing gloves, because the woman in *Ihram* has been prohibited from wearing gloves. Likewise, concerning the *Niqab* (face veil), she does not wear it over her face, and similarly the *Burqa'* (a heavy face veil with holes for the eyes) and other similar things. This is because the Messenger ﷺ forbade that. However, she must lower her headscarf or her overgarment over her face when men who are not her relatives (*Maharim*) are present. This is also the case during *Tawaf* and *Sa'y*. This is due to the *Hadith* of

[1] Abu Dawud no. 1833 and Ibn Majah no. 2935.

'A'ishah ﷺ that she said:

«كَانَ الرُّكْبَانُ يَمُرُّونَ بِنَا وَنَحْنُ مَعَ رَسُولِ اللهِ ﷺ مُحْرِمَاتٌ فَإِذَا حَاذُوا بِنَا سَدَلَتْ إِحْدَانَا جِلْبَابَهَا مِنْ رَأْسِهَا عَلَى وَجْهِهَا، فَإِذَا جَاوَزُونَا كَشَفْنَاهُ»

"The riders used to pass by us while we were with the Messenger of Allâh ﷺ. So, when they came to where we were, (each) one of us would lower her overgarment (Jilbab) from her head over her face. Then, when they passed us, we would uncover it (the face)."[1]

This was recorded by Abu Dawud and Ibn Majah.

It is permissible for the man to wear leather socks even if they are not cut (below the ankles) according to the correct view. The majority of the scholars say that they should be cut (to below the ankles), but the correct view is that it is not necessary to cut them when two sandals cannot be found. This is because the Prophet ﷺ gave a sermon to the people at 'Arafat and he said:

«مَنْ لَّمْ يَجِدِ النَّعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ، وَمَنْ لَّمْ يَجِدْ إِزَارًا فَلْيَلْبَسِ السَّرَاوِيلَ»

"Whoever does not find a waist garment, then let him wear pants, and whoever does not find two sandals, then let him wear two leather socks."[2]

This *Hadith*'s authenticity is agreed upon. He did not order that they be cut, so this proves that the command to cut them had been abrogated. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on the Woman wearing Socks while in *Ihram*

Q I wear black socks while in *Ihram* so that my feet will be covered and I perform *Tawaf* and I pray in them. It was

[1] Abu Dawud no. 1833 and Ibn Majah no. 2935.
[2] Al-Bukhari no. 1841 and Muslim no. 1178.

said to me that this nullifies the *Ihram* and that I have to slaughter an animal. I hope from your eminence that you can provide me a beneficial answer concerning the ruling on my wearing these socks in *Ihram*, *Tawaf* and prayer. May Allâh reward you with good.

This is a good act that you are thanked for, due to what it contains of covering the *'Awrah* (parts of the body that should be concealed) and staying away from the causes of *Fitnah* (evil temptation). Whoever said to you that you must slaughter an animal for that, is mistaken and he has erred. The only things that are prohibited for the woman to wear who is in *Ihram*, are specifically the gloves. In reference to wearing socks on the feet, there is no harm in that for the woman. Rather, she must do that during *Tawaf* and in prayer. There is no harm in her being careful concerning this by wearing extra long garments that cover her feet during *Tawaf* and in the prayer. Also, it is not a condition that the socks must be black. Rather, there is no harm in wearing other than black while making sure that the socks completely cover the feet. May Allâh help everyone to attain the truth. Verily, He is All-Hearing, and Responsive to invocations.

Ash-Shaykh Ibn Baz

The Woman assumes *Ihram* in any clothing that she wishes

Is it permissible for the woman to assume *Ihram* in any clothing that she wishes?

Yes, she may assume *Ihram* in whatever she wishes. She does not have any specified clothing for *Ihram* as some of the common people think. However, it is better that her *Ihram* be in clothing that is not beautiful and that does not attract gazes, because she will be mixing with the people. Therefore, her clothing should be clothing that does not attract the gazes and that is not beautiful. Rather, the clothing should be plain clothing that does not contain any temptation.

In reference to the man, it is better for him to assume *Ihram* in two white garments — a lower waist garment and an upper garment. If he assumes *Ihram* in something other than two white garments, there is no harm in that. Indeed it has been confirmed from the Messenger ﷺ that he performed *Tawaf* while wearing a green Yemeni mantle. It is also confirmed from him that he ﷺ wore a black turban. Thus, the conclusion is that there is no harm in the person assuming *Ihram* in a garment that is not white.

Ash-Shaykh Ibn Baz

The Things that are Prohibited During *Ihram*

The things that are prohibited during *Ihram*

What are the things that the *Muhrim* must avoid?

The *Muhrim* must avoid nine prohibited things that the scholars have explained. They are: avoiding cutting the hair, avoiding cutting the nails, avoiding perfume, avoiding wearing a garment with a seam in it (i.e., sewn to fit the members of the body), avoiding covering the head, avoiding killing game animals, avoiding sexual intercourse, avoiding marriage, and avoiding touching women with lust. The *Muhrim* has been prohibited from all of these things until he removes his *Ihram*. In the first stage of removing the *Ihram*, all of these prohibited things become allowed except for sexual intercourse. Then, when he completes the second stage (of removing *Ihram*), sexual intercourse becomes lawful for him.

Ash-Shaykh Ibn Baz

The prohibitions of *Ihram* and their types

What are the prohibitions of *Ihram* and what are their types?

They are nine: (1) Shaving the hair of the head or the body. (2) Cutting the nails of the hand or the foot. (3) Wearing a garment with a seam in it for the man. This is everything that is stitched to fit a certain part of the body, like the shirt, pants, a bathing suit, the *Jubbah* (long robe, open in the front with wide sleeves), flannel underwear, the *Qaba'* (an outer garment with full-length sleeves), and the *'Aba'ah* (cloak) and so forth. (4) Covering the head with things that are affixed to it, like the turban and the *Qalansuwah* (cap, hat or *Kufi*). However, this does not include the umbrella, the tent, and carrying items on top of the head, for there is no harm in that. (5) Using perfume, which is everything that has a pleasant fragrance with the intent of using it on the garment or the body, such as musk, rose, the scent of aromatic flowers and the rest of the fragrant oils. (6) Intending to hunt wild game animals of the land, such as birds, like the pigeon, the bustard, the partridge, the sparrows and similar birds. It could also be the gazelles, the mountain goats, the wild donkeys, the lizards, the jerboa, the daman (a furry desert rodent) and similar animals. (7) The marriage contract. This means that the *Muhrim* may not make a marriage proposal, he does not take a wife in marriage, nor does he act as a guardian giving someone away in marriage and so forth. (8) Having sexual intercourse in the vagina with his wife or his female slave. (9) Touching (the woman) in places other than the vagina, kissing, touching with lust and so forth.

These things are divided into four categories. The first category requires a ransom of atonement (*Fidyah*) to be made, but the *Hajj* is not invalidated by it. This category is the first five things (mentioned above). The second category requires a compensation (*Al-Jaza'*) (sacrifice) similar to it and like it, and that is hunting game animals. The third category nullifies the *Hajj* and it does not require a sacrifice (*Fidyah*), and it is marriage Contract. The fourth category does not nullify the *Hajj* and it requires a ransom of atonement (*Dam*), and it is touching (with lust).

Ash-Shaykh Ibn Jibreen

The ruling on whoever does a prohibited Act due to Ignorance

Q What is the ruling on whoever does a prohibited act from the nine prohibitions of *Ihram* unknowingly or forgetfully?

A Wheover removes some of his hair or nails forgetfully, there is no sin on him and he is not required to offer a sacrifice. Likewise, whoever applies perfume or covers his head or wears a seamed garment forgetfully, Allâh does not hold them accountable for that according to His Statement:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord, do not take us to account (i.e., punish us) if we forget or unintentionally err."[1]

It is reported in the *Sahih* that Allâh said (in response to this):

«قد فعلت»

"Verily, I have done so (i.e., accepted this supplication)."

Allâh also said:

﴿وَلَيْسَ عَلَيْكُمْ جُنَاحٌ فِيمَآ أَخْطَأْتُم بِهِۦ وَلَٰكِن مَّا تَعَمَّدَتْ قُلُوبُكُمْ﴾

"There is no sin on you concerning that which you do mistakenly, but rather (you are accountable for) that which your hearts intended." [2]

In is also reported in a *Hadith*:

«إِنَّ اللهَ وَضَعَ عَنْ أُمَّتِي الْخَطَأَ وَالنِّسْيَانَ»

"My Ummah has been pardoned for unintentional errors and forgetfulness."[3]

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[1] *Al-Baqarah* 2:286.
[2] *Al-Ahzab* 33:5.
[3] Ibn Majah no. 2045.

In reference to killing the game animals, the majority ruled according to its principle (that the person must make a sacrifice), and they did not ask the person did you do it intentionally or mistakenly. What is probably correct is that it is not a sin (to kill a game animal mistakenly or forgetfully) and there is no sacrifice due upon the person who forgot or did so due to ignorance. This is due to Allâh's Statement:

﴿وَمَن قَتَلَهُۥ مِنكُم مُّتَعَمِّدًا﴾

"And whoever among you kills it (the game animal) intentionally." [1]

In reference to the marriage contract, it is not correct, even if it is carried out due to ignorance, and there is no sacrifice required for it. Regarding sexual intercourse and touching (lustfully), a sacrifice is required for it if it is done forgetfully, according to the majority of the scholars. This is because it is the most well known of the prohibited things and because it is between two people, and it is quite unlikely that it would occur by both of them forgetting. This is the safest view. Some of the scholars excused such a person who had sex due to ignorance (of the prohibition) and forgetfulness, just like others besides him (i.e., without him having to make a sacrifice). And Allâh knows best.

Ash-Shaykh Ibn Jibreen

She removed some Hair before making the Intention for *Ihram*

Q My wife assumed *Ihram* for *'Umrah* and before she came out from the bathroom and before she put on her *Ihram* clothes, she cut some of her hair. What is obligatory upon her?

A There is no sin on her for that and no sacrifice is required. For verily, the prohibition of removing hair is only after

[1] *Al-Ma'idah* 5:95.

making the intention for the *Ihram*. This woman had not made its intention nor had she put on its clothing, so there is no sin on her. Even if she did this after entering *Ihram* due to ignorance or forgetfulness, she does not have to offer a sacrifice due to the excuse of ignorance. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

The ruling on whoever removes some of his Hair due to Ignorance after assuming *Ihram*

A man assumed *Ihram* for *'Umrah* and after that he remembered that he must shave the hair of his armpits. So, he shaved it after assuming *Ihram* and then he set out for *'Umrah*. We would like a clarification of the ruling, and you will receive the reward and blessing for that.

Shaving the hair of the armpit is not obligatory for the *Ihram*, nor is plucking it. It is only recommended to pluck it or remove it with something from those clean things that remove hair before assuming *Ihram*. Likewise, it is recommended to trim the moustache, clip the nails and shave the pubic hair if each of these things is in need of that. It is not necessary for this to be when assuming *Ihram*. Rather, if the person does that before assuming *Ihram* while he is in his house or on the way (to Makkah), that is sufficient. There is no sin on the person whom you mentioned for shaving his armpit due to him being ignorant of the Islamic ruling. Similar to this, if the *Muhrim* did something from what he has mentioned forgetfully after assuming *Ihram*, there is no sin on him. This is due to Allâh's Statement:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord do not take us to account (i.e., punish us) if we forget or unintentionally err."[1]

[1] *Al-Baqarah* 2:286.

This is also due to what is confirmed from the Prophet ﷺ that indeed Allâh has answered this supplication.

Ash-Shaykh Ibn Baz

Hair falling out of the Head of the *Muhrim*

Q What should the woman in *Ihram* do if some hair falls out of her head against her will?

A If hair falls out of the head of the person in *Ihram* - whether it is a male or female - when he wipes it during *Wudhu'* or when he washes it, that does not harm him. Likewise, if hair falls out of the beard of a man or his moustache or something of his nails falls off, that does not harm him if he did not do that intentionally. The only thing that is prohibited is that the *Muhrim* intentionally cuts some of his hair or his nails while he is in *Ihram*. Likewise, the woman may not intentionally cut anything (from her hair or nails). In reference to something falling off without the person intending that, then these are dead hairs that fall out during movement, and their falling out does no harm. And Allâh knows best.

The Permanent Committee

There is no Sacrifice due upon you, if Allâh wills

Q I performed the obligation of *Hajj* two years ago and that was for the first time. On the day of *'Arafah*, while I was supplicating to my Lord on that tremendous day, my eyes became red (with crying). Then, when I finished and I wiped my face and my tears with my hands, two hairs fell out into my hand from my eyelashes. That was not intentional, so is there any sin on me for that?

A May Allâh accept from you and us and multiply your reward and blessing for your eagerness, humility and your deed by which you intended the Face of Allâh. In reference to what you mentioned of eyelash hairs falling out, there is no

sacrifice due upon you, if Allâh wills. This is because you did not intend that and it did not occur intentionally. Allâh, the Most High, has pardoned the unintentional mistake and forgetfulness. May Allâh give you success.

Ash-Shaykh Ibn Jibreen

The Muslim is not taken to account for Forgetfulness

Q A Muslim assumed *Ihram* for *'Umrah* and he has a habit of playing with his hair while he is thinking. He did that forgetfully while he was in *Ihram* and some of his hair came out. Does he have to make expiation?

A There is nothing due on him due to Allâh's Statement concerning the believers, that they said:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord, do not take us to account (i.e., punish us) if we forget or unintentionally err."[1]

Indeed Allâh answered their supplication, because it is authenticated from the Messenger of Allâh ﷺ that Allâh said:

«قد فعلت»

"Indeed I have done so (i.e., accepted this supplication)."[2]

Imam Muslim recorded this in his *Sahih*.

Ash-Shaykh Ibn Baz

What is the Limit of the seamed Garment and what is the ruling on wearing Pants under the *Ihram*?

Q What is the limit of the seamed garment from the clothing? Is it permissible to wear under the *Ihram* the

[1] *Al-Baqarah* 2:286.
[2] Muslim no. 126.

underpants that are used now?

It is not permissible for the *Muhrim* who is performing *Hajj* or *'Umrah* to wear pants or anything else of the seamed garments on his entire body or the upper half of it, like the undershirt and similar things, or the lower half, like underpants. This is due to the Prophet's statement, when he was asked about what the person in *Ihram* can wear, he ﷺ said:

«لَا يَلْبَسُ الْقُمُصَ، وَلَا الْعَمَائِمَ، وَلَا السَّرَاوِيلَاتِ، وَلَا الْبَرَانِسِ، وَلَا الْخِفَافَ إِلَّا أَحَدٌ لَا يَجِدُ نَعْلَيْنِ فَيَلْبَسْ خُفَّيْنِ، وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الْكَعْبَيْنِ»

"He (the Muhrim) does not wear a shirt, turbans, pants, hooded robes or leather socks, except someone who cannot find two sandals, he may wear leather socks, and he must cut them below the ankle."[1]

This *Hadith* is agreed upon from a narration of Ibn 'Umar ﷺ. By this the questioner will know what is the prohibited seamed garment in regards to the *Muhrim*.

It seems clear by the mentioned *Hadith* that the meaning of the seamed garment is whatever is stitched or sewn according to the shape of the entire body like the shirt or its upper part like the undershirt, or its lower part, like the underpants. Included in this is whatever is stitched or sewn according to the shape of the hand, like gloves, or the foot, like leather socks. However, it is permissible for the man to wear the leather socks if he does not have sandals and he does not have to cut them off (i.e., the tops of them) according to the correct view. This is due to what has been confirmed from Ibn 'Abbas ﷺ that the Prophet ﷺ gave a sermon to the people at 'Arafat and he said:

«مَنْ لَّمْ يَجِدِ النَّعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ وَمَنْ لَمْ يَجِدْ إِزَارًا فَلْيَلْبَسِ السَّرَاوِيلَ»

[1] Al-Bukhari no. 1542 and Muslim no. 1177.

"Whoever cannot find a waist garment, then he should wear pants, and whoever cannot find two sandals, he should wear leather socks."[1]

This *Hadith*'s authenticity is agreed upon and he did not mention cutting them in this *Hadith*. This proves that it is not obligatory to do so.

The cutting of the leather socks that was mentioned in the first *Hadith* was abrogated by the *Hadith* of Ibn 'Abbas ﷺ. This is regarding men. In reference to the woman who is in *Ihram* for *Hajj* or *'Umrah*, it is absolutely permissible for her to wear underpants and leather socks. She is prohibited from wearing the *Niqab* (face veil) and gloves, because the Prophet ﷺ prohibited her from that in the *Hadith* of Ibn 'Umar ﷺ. However, she covers her face and her hands with something other than the *Niqab* and gloves when she is around (*Al-Ajanib*) men who are not related to her. She does this with something like the headscarf and anything similar to it. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

He assumed *Ihram* while wearing Underpants due to Ignorance

Q A year ago I went for *'Umrah* and I was ignorant of some of the conditions. When I assumed *Ihram* from the *Miqat*, I wore short pants under my *Ihram* clothes, as I was ignorant concerning this matter. After I returned, some people informed me that this was not permissible. I performed *'Umrah* again this year when I learned that it is not permissible to wear (*Al-Makhit*) seamed garments. Is there any sin on me for that?

A You do not have to perform a sacrifice as you were ignorant of the ruling, and ignorance is an acceptable

[1] Al-Bukhari no. 1841 and Muslim no. 1178.

excuse for doing this prohibited act. The sacrifice for atonement is only obligatory upon whoever does this knowingly and intentionally. You are not required to repeat the *'Umrah*, as you did not do what corrupts it. Thus, the second *'Umrah* you performed is considered a voluntary *'Umrah*.

Ash-Shaykh Ibn Jibreen

He assumed *Ihram* while wearing Underpants intentionally

Q At the *Miqat* I made intention to assume *Ihram* for *'Umrah* joining it as a *Mutamatti'* with *Hajj*. However, I did not remove my underclothes (underpants). This was due to the extreme shyness I felt during that time. I performed the *'Umrah* in *Ihram* while I was wearing the underpants. When putting on the *Ihram* clothes for *Hajj*, I knew that I was doing something wrong by wearing underpants, so I removed them during my assuming *Ihram* to perform *Hajj*. My question is, is there any sin on me for not removing my underpants only for performing *'Umrah*, even though I removed them for the performance of *Hajj*? This occurred while I knew that seamed garments are from those things that nullify the *Ihram*. However, the reason I did this, as I told you, was my extreme shyness during the first time I performed *'Umrah* and *Hajj*. Since this *'Umrah* and *Hajj* of mine happened a number of years ago, I would like a beneficial answer.

A You are obligated to make a ransom of atonement for intentionally remaining in these clothes while you knew that it was one of the things prohibited for *Ihram*. However, it is not of those things that nullify *Ihram*. The ransom is to fast three days or feed six poor people or slaughter a sheep. Which ever of these you do, will suffice you. However, the slaughter or

feeding people must be done in Makkah for the poor people of the *Haram*. In reference to fasting, it is correct to do it anywhere. There is no sin on you for delaying, except that you were negligent in not asking for this long period of time.

Ash-Shaykh Ibn Jibreen

He performed *'Umrah* in his normal Clothes, so what is he required to do?

Q I performed *'Umrah* in the beginning of the month of Ramadhan this year and I stayed for a period of 15 days and then I performed another *'Umrah* in my (normal) clothes. When I first reached the *Haram*, I prayed two *Rak'ahs* intending them to be *Tahiyyatul-Masjid* (prayer for greeting the mosque). Then I performed *Tawaf* by making seven circuits around the House (the *Ka'bah*). Then, after that I went and prayed two *Rak'ahs* at the standing place of our father, Ibrahim ﷺ. Then, I went to the place of *Sa'y* and I performed *Sa'y* by making seven trips (between As-Safa and Al-Marwah). After that I cut my hair. Was my action correct?

A What you mentioned in your question regarding what you did during your *'Umrah*, it was what is obligatory for it, and there is nothing due on you other than it, if you assumed *Ihram* for it from the mandatory *Miqat* for you. However, your action of performing two *Rak'ahs* of prayer as *Tahiyyatul-Masjid* upon your entering the *Masjid* before making *Tawaf* is contrary to the Sunnah. The Sunnah for whoever enters the *Haram*, especially the person in *Ihram*, is to begin by performing *Tawaf* if that is easy. What you mentioned concerning your assuming *Ihram* in your clothes, if you meant the two garments of *Ihram*, which are a waist garment and an upper garment which you had used before during the *'Umrah* before this *'Umrah* of yours, there is no harm in that. You may use them numerous times for *Hajj* or *'Umrah* and you may give them to someone else who will use them for that. If you meant that you assumed *Ihram* for *'Umrah*

in your normal clothes that you wear outside of *Ihram*, then you have erred in that and you have committed two prohibitions from the prohibited matters of *Ihram* in your *'Umrah*. They are your wearing seamed garments and your covering (i.e., wearing something on) your head. If you knew that this was not permissible you must make two ransoms of atonement; one of them for the clothing and the other for covering your head. For each of these acts you must slaughter a sheep that suffices for a sacrifice or feed six poor people, giving each poor person half a *Sa'* of dried dates or other food from the food of the land, or fast three days. You must distribute the two sheep or the food among the poor people of Makkah and you may not eat from this or give any of it away as gifts. You may perform the fast in any place and at any time. If you were ignorant of this ruling or you forgot the Islamic ruling on it, you are not required to give a ransom of atonement. In both circumstances you must repent, seek forgiveness and never return to the likes of this act that contradicts what *Ihram* requires. And success is from Allâh. May Allâh send blessings upon our Prophet Muhammad.

The Permanent Committee

If the Person in *Ihram* wears Sandals or Socks

Q If the man or woman in *Ihram* wears sandals or socks, whether due to ignorance or knowingly or forgetfully, does any of this nullify his *Ihram*?

A The Sunnah is that the male assumes *Ihram* in two sandals. This is because it has been related from the Prophet ﷺ that he said:

«لِيُحْرِمْ أَحَدُكُمْ فِي إِزَارٍ وَرِدَاءٍ وَنَعْلَيْنِ»

"Each of you should assume Ihram in a waist garment, an upper garment and two sandals."[1]

[1] *Talkhis Al-Habair no: 2:237.*

Therefore, it is better to assume *Ihram* in sandals so that he can be protected from thorns, the hot ground and things that are cold. If the person does not assume *Ihram* in sandals, there is no harm in that. If he cannot find sandals, it is permissible for him to assume *Ihram* in leather socks. Should he cut them or not? There is a difference of opinion among the people of knowledge concerning this. It has been confirmed from the Prophet ﷺ that he said:

«مَنْ لَمْ يَجِدْ نَعْلَيْنِ فَلْيَلْبِسِ الْخُفَّيْنِ، وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الْكَعْبَيْنِ»

"Whoever cannot find two sandals, then let him wear two leather socks, and let him cut them off below the ankles."[1]

It has been related from him in his sermon that he gave during the Farewell *Hajj* at 'Arafat that he ordered to wear two leather socks whoever did not find two sandals and he did not command that they be cut. Thus, the scholars differ concerning that. Some of them say that the first matter was abrogated, so the person may wear the leather socks without cutting them. Others say that it was not abrogated, however it is recommended and not obligatory due to the Prophet's silence about it at 'Arafat. The most correct view, if Allâh wills, is that cutting them is abrogated. This is because the Prophet ﷺ gave a sermon to the people at 'Arafat and a large group of people were present for his sermon from the city dwellers and the desert dwellers. Some of them were not present for his sermon in Al-Madinah during which he commanded that the leather socks be cut. So, if cutting them was obligatory or legislated, he would have clarified that for his *Ummah*. Since he was silent about that at 'Arafat, this proves that it was abrogated and that Allâh pardoned and allowed his servants not to cut them due to what it contained of damaging the leather socks. And Allâh knows best.

In reference to the woman, there is no sin on her if she wears

[1] Al-Bukhari no. 1842 and Muslim no. 1177.

leather socks or cloth socks, because she is *'Awrah* (that which should be concealed). However, she is prohibited from two things: the *Niqab* (face veil) and the two gloves. This is because the Messenger ﷺ prohibited that. He said:

«لَا تَنْتَقِبِ الْمُحرِمَةُ وَلَا تَلْبَسِ الْقُفَّازَيْنِ»

"The woman (in Ihram) does not wear the face veil, nor does she wear gloves."[1]

The *Niqab* is something that is made for the face, like the *Burqa'*. The woman does not wear it while she is in *Ihram*. However, she must cover her face with whatever she wishes other than the *Niqab* when (*Al-Ajanib*) non-related men are present. This is because her face is *'Awrah* (that which should be concealed). If she is far away from men, she may uncover her face. It is not permissible for her to place the *Niqab* over her face, nor the *Burqa'*. It is also not permissible for her to wear gloves, and they are two coverings that are made for the hands. The woman in *Ihram* may not wear them, but she may cover her hands with something else.

Ash-Shaykh Ibn Baz

He kissed and had an Ejaculation before the *Tawaful-Ifadhah*

Q A man performed *Hajj* and fell into something dangerous. That is he kissed his wife and had an ejaculation outside of her sexual organ (i.e., he was not having sex with her) due to his desire. This was after stoning the pillar of Al-'Aqabah and shaving his head, but it was before performing *Tawaful-Ifadhah*. His wife was not performing *Hajj*, so what must he do?

A It is not permissible for a Muslim who has assumed *Ihram* for *Hajj* or *'Umrah* or both of them to expose himself to

[1] Al-Bukhari no. 1842.

that which corrupts his *Ihram* or lessens his deed (i.e., its reward). Kissing is forbidden for whoever has assumed *Ihram* for *Hajj* until he removes his *Ihram* completely. This is by him stoning the pillar of Al-'Aqabah, shaving his head or cutting the hair shorter, and performing *Tawaful-Ifadhah* and *Sa'y* if he must perform *Sa'y*. This is because he is still under the ruling of *Ihram*, which makes women forbidden for him. The *Hajj* of whoever kisses and ejaculates after the first phase of removing *Ihram* is not corrupted. He must seek forgiveness from Allâh and not repeat that act again. He makes up for this by slaughtering a sheep that is suitable for sacrificing and distributing it among the poor people of Makkah's *Haram* area. It is obligatory to make haste in doing this according to one's ability. And Allâh is the Giver of success. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The ruling on having Sex before the first phase of removing the *Ihram*

Q Is it obligatory for someone who had sex before the first phase of removing the *Ihram* to repeat the *Hajj*, while knowing that his *Hajj* was a voluntary performance of *Hajj*?

A If he had sex before the first phase of removing the *Ihram*, his *Hajj* is corrupted. He must complete it and he must make up for it (i.e., make over) after that, even if it was a voluntary *Hajj*, as the Companions of the Prophet ﷺ ruled. He must also sacrifice a camel, which he slaughters and distributes among the poor people of Makkah Al-Mukarramah. And Allâh is the One from Whom help is sought.

Ash-Shaykh Ibn Baz

Having Sex with Women after the *Tawaful-Ifadhah*

Q If the person who performs *Hajj* makes *Tawaful-Ifadhah*, is it permissible for him to have sex with women during

the period of the days of *At-Tashreeq*?

If the person who performs *Hajj* makes *Tawaful-Ifadhah*, it is not permissible for him to have sex with women unless he has completed the other matters, like stoning the pillar (of *Al-'Aqabah*), and shaving his head or cutting his hair. Upon completing these things it is allowed for him to have sex with women, and if he hasn't completed them, then it is not allowed.

The *Tawaf* alone is not sufficient. Rather, the person must stone the pillar on the day of the *'Eid*, and he must shave his head or cut his hair. He must also perform the *Tawaf* and the *Sa'y* if he is required to perform the *Sa'y*. With this it is permissible for him to touch women (sexually). Without the performance of these things, it is not allowed. However, if the person does two of the three things, such as stoning, and shaving or cutting the hair, it is permissible for him to wear ordinary clothes and perfume and so forth, other than having sex. The same applies if he stoned the pillar and performed the *Tawaf*, or he stoned the pillar and shaved his head. In such a case it is permissible for him to use perfume, wear seamed garments, and likewise hunt game animals, cut the nails and similar things. However, it is not permissible for him to have sex with women unless all three things have been performed. This is by him stoning the pillar of Al-'Aqabah, shaving his head or cutting his hair short, and performing the *Tawaful-Ifadhah* along with *Sa'y* if he is required to perform *Sa'y*, like the *Mutamatti'*. After all of this it is permissible for him to have sex with women. And Allâh knows best.

Ash-Shaykh Ibn Baz

The ruling on whoever has a wet Dream while he is in *Ihram*

When we wore *Ihram* on the 8th day (of Thul-Hijjah) and we spent the night in Mina, I had a wet dream. Therefore, I became confused, because if I had bathed, some

hair would have fallen out of my head causing me to come out of my state of *Ihram*, and by this I will have committed two prohibited acts from the prohibitions of *Ihram*. However, had I performed *Tayammum*, I would not have committed a prohibition, but I preferred complete bathing to *Tayammum*. So, what is the ruling on this act of mine? Please give us a ruling, and may Allâh reward you.

Complete bathing is obligatory on whoever has a wet dream, and no prayer, *Tawaf* or recitation of Qur'an is correct (i.e., acceptable) before complete bathing. Therefore, the person performs complete bathing, even if he is in *Ihram*, and this does not harm him, even if some hairs fall out of his head while bathing. Verily, that which is prohibited is only the removal of hair intentionally by shaving or cutting or plucking it.

In reference to bathing due to a wet dream, that is obligatory and it is necessary to wash the head with it and run the fingers through the hair. However, the person should not exaggerate in rubbing. Rather, he should pour the water over his head while moving the hair with his hands until the water reaches his scalp. For verily, beneath each hair is sexual impurity. In reference to his coming out of *Ihram*, meaning his removing his waist garment, this is not one of the prohibitions of *Ihram*. Rather, it is permissible to remove the waist garment when there is a need or something that must be done.

It is also permissible to remove the waist garment when relieving oneself, and it is permissible to change the waist garment or upper garment and put on another one. Likewise, it is permissible to wash it if it becomes dirty and so forth. It has been confirmed that the Prophet ﷺ used to bathe while he was in *Ihram* and so did the Companions. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

A wet Dream during *Hajj* does not invalidate it

I performed the obligation of *Hajj* and during one night while I was in Mina, I had a wet dream and I was not able to bathe. Is there any sin on me?

Someone who is wearing *Ihram* having a wet dream during *Hajj* or *'Umrah* does not effect his *Hajj* or his *'Umrah*. Thus, they are not invalidated. If this happens to someone, he should perform the complete bathing of sexual impurity after he awakens from sleeping if he sees any semen. There is no ransom of atonement due on you, because the wet dream does not occur by your choice.

The Permanent Committee

The Menstruating Woman and the Woman in Postnatal Bleeding During *Hajj*

The ruling on the *Hajj* of the menstruating Woman

What is the ruling on the Muslim woman who has her menses during the days of her *Hajj*? Does this *Hajj* suffice her?

If the woman gets her menses during the days of her *Hajj*, she does whatever the male *Hajj* pilgrim does, except that she does not perform *Tawaf* around the *Ka'bah* or *Sa'y* between *As-Safa* and *Al-Marwah* until she become pure. Then, when she becomes pure, she bathes and performs *Tawaf* and *Sa'y*. If she happens to get her menses and nothing remains for her from the acts of *Hajj* except the Farewell *Tawaf*, then she travels and nothing is due on her, as its obligation is removed from her and her *Hajj* is correct. The basis for this is what At-Tirmithi and Abu Dawud recorded from 'Abdullah bin 'Abbas ﷺ that the Messenger of Allâh ﷺ said:

«النُّفَسَاءُ وَالْحَائِضُ إِذَا أَتَتَا عَلَى الْمِيقَاتِ تَغْتَسِلَانِ وَتُحْرِمَانِ وَتَقْضِيَانِ

الْمَنَاسِكَ كُلَّهَا غَيْرَ الطَّوَافِ بِالْبَيْتِ»

"When the woman with postnatal bleeding and the menstruating woman come to the Miqat, they bathe, assume Ihram and fulfill all of the Hajj rites, except for Tawaf around the House (the Ka'bah)."[1]

In the *Sahih* it is reported from 'A'ishah ﵂ that she got her menses before performing the rites of *'Umrah*, so the Prophet ﷺ ordered her to assume *Ihram* for *Hajj* and not to perform *Tawaf* around the House (the *Ka'bah*) until she became pure. He also ordered her to do whatever the *Hajj* pilgrim does and to enter it along with the *'Umrah* (i.e., as *Qiran*). Also, Al-Bukhari recorded from 'A'ishah ﵂ that she said, "Safiyyah, the wife of the Prophet ﷺ got her menses and I mentioned that to the Messenger of Allâh ﷺ. So, he ﷺ said:

«أَحَابِسَتُنَا هِيَ؟»

'Will she delay us (from leaving)?'[2]

They said: 'Verily, she has already performed the *Tawaful-Ifadhah*.' Then he said:

«فَلَا إِذًا»

'Then no (i.e., she will not delay us, and we can leave).'"[3]

In another narration she said, "Safiyyah got her menses after performing *Tawaful-Ifadhah*." Then 'A'ishah ﵂ said, "I mentioned her menstruation to the Messenger of Allâh ﷺ and he said:

«أَحَابِسَتُنَا هِيَ؟»

'Will she delay us (from leaving)?'

[1] Abu Dawud no. 1838.
[2] Al-Bukhari no. 1757.
[3] Al-Bukhari no. 1757.

I said, 'O Messenger of Allâh, she has come back from 'Arafat and performed *Tawaf* of the House (the *Ka'bah*) and then she got her menses after the *Tawaful-Ifadhah*.' Then the Messenger of Allâh ﷺ said:

«فَلْتَنْفِرْ»

'Then she can leave.'"[1]

The Permanent Committee

The menstruating Woman assumes *Ihram* without praying

Q How does the menstruating woman pray the two *Rak'ahs* of *Ihram*?

A The menstruating woman does not pray two *Rak'ahs* of *Ihram*. Rather, she assumes *Ihram* without praying. The two *Rak'ahs* of *Ihram* is Sunnah according to the majority of the scholars and some of the people of knowledge do not consider it *Mustahab* (desirable), as there is nothing reported specifically concerning it. However, the majority of scholars consider it desirable due to what is reported in some of the *Hadiths* that the Prophet ﷺ said:

«قَالَ اللهُ - جَلَّ وَعَلَا- صَلِّ فِي هَذَا الْوَادِي الْمُبَارَكِ وَقُلْ عُمْرَةٌ فِي حَجَّةٍ»

"Allâh, the Mighty and Majestic said, 'Pray in this blessed valley and say: An 'Umrah within a Hajj.'"[2]

This means the valley of Al-'Aqeeq during the Farewell *Hajj*. It has been related from the Companions that he (the Prophet ﷺ) prayed, then he assumed *Ihram*. Therefore, the majority of scholars considered it desirable that the *Ihram* be after prayer. It

[1] Muslim no. 382 and 1211.
[2] Al-Bukhari no. 1534.

can either be an obligatory prayer or a voluntary (*Nafl*) prayer. The person performs *Wudhu'* and prays two *Rak'ahs*. The menstruating woman and the woman with postnatal bleeding are not from the people who pray. Thus, they assume *Ihram* without praying and it is not legislated for them to make up for these two *Rak'ahs*.

Ash-Shaykh Ibn Baz

If the Woman gets her Menses or has postnatal bleeding after assuming *Ihram*

If the woman gets her menses or has postnatal bleeding after assuming her *Ihram* is it correct for her to make *Tawaf* around the House (the *Ka'bah*) or what should she do? Does she have to perform the Farewell *Tawaf* (*Tawaful-Wada'*)?

If she has postnatal bleeding or gets her menses when she arrives for *'Umrah*, she refrains from that (*Tawaf*) until she becomes pure. Then when she becomes pure, she performs *Tawaf* and *Sa'y*, cuts her hair and completes her *'Umrah*. If this occurred after the *'Umrah* or after she assumed *Ihram* for *Hajj* on the 8th day (of Thul-Hijjah), then she does the acts of *Hajj*, such as standing at 'Arafat, staying in Muzdalifah, stoning the pillars and other things as well, such as saying the *Talbiyyah* and remembering Allâh. Then, when she becomes pure, she performs *Tawaf* and *Sa'y* for *Hajj*, and all praise is due to Allâh. If she gets her menses after the *Tawaf* and the *Sa'y*, and before the Farewell *Tawaf*, she is not required to perform the Farewell *Tawaf*, because the menstruating woman and the woman with postnatal bleeding are not obligated to perform the Farewell *Tawaf*.

Ash-Shaykh Ibn Baz

What the menstruating Woman does after assuming *Ihram* for *'Umrah*

When the woman who is performing *Hajjut-Tamattu'* assumes *Ihram*, and then before reaching the Sacred House (the *Ka'bah*) she gets her menses, what should she do? Should she perform *Hajj* before performing *'Umrah*?

She remains in her *Ihram* for *'Umrah*. If she becomes pure before the 9th day (of Thul-Hijjah) and she is able to complete her *'Umrah*, she should complete it. Then she should assume *Ihram* for *Hajj* and go to 'Arafat to complete the rest of the rites of *Hajj*. If she does not become pure before the day of *'Arafah*, then she enters her *Hajj* along with the *'Umrah* and she says: "O Allâh, verily I have assumed *Ihram* for *Hajj* with my *'Umrah*." In this case she becomes a person performing *Hajjul-Qiran* and she stands with the people (at 'Arafat) and completes the actions. Her *Ihram* and *Tawaf* - on the day of *'Eid* (the 10th of Thul-Hijjah) or after it for *Tawafuz-Ziyarah* — and *Sa'y* suffice her for the *Hajj* and the *'Umrah*. She must sacrifice an animal for *Qiran* just as the *Mutamatti'* person must do.

Ash-Shaykh Ibn Jibreen

If the Woman gets her Menses before *Tawaful-Ifadhah*

Concerning a woman who gets her menses or postnatal bleeding before she makes *Tawaful-Ifadhah*, is she required to remain in Makkah until she becomes pure and then perform *Tawaf* or can she travel to Jeḍdah or another place, then return and make *Tawaf* when she becomes pure?

If she is able to remain in Makkah, she must remain in Makkah until she becomes pure and completes her *Hajj*. If she is not able, there is no harm on her traveling with her *Mahram* to Jeddah or At-Ta'if or somewhere similar, then

returning with her *Mahram* after becoming pure to complete her *Hajj* rites.

Ash-Shaykh Ibn Baz

The ruling on delaying *Tawaful-Ifadhah* for the menstruating Woman and the Woman with postnatal bleeding until after the Months of *Hajj*

If the woman gets her menses before she performs *Tawaful-Ifadhah*, what is the ruling? This is while knowing that she did all the rest of the *Hajj* rites and her menses continued until after the days of *At-Tashreeq*.

If the woman gets her menses or postnatal bleeding before *Tawaful-Hajj*, then she is still responsible for the *Tawaf* until she becomes pure. So, when she becomes pure, she should bathe and perform the *Tawaf* for her *Hajj*, even if it is some days after the *Hajj* - even if it is in (the month of) *Al-Muharram* or even (the month of) *Safar* - according to what is easy. Its performance does not have a fixed time. Some of the people of knowledge held the opinion that it is not permissible to delay it until after (the month of) Thul-Hijjah. However, it is a saying that has no proof to support it. Rather, the correct opinion is the permissibility of delaying it. Nonetheless, hastening to perform it is more proper, if one has the ability to do so. If it is delayed beyond Thul-Hijjah, it is accredited and there is no sacrifice required.

The woman in menses and the one having postnatal bleeding are both excused. So, there is no blame on them (for such delay), since they have no power in this matter. Hence, when they become pure, they should perform the *Tawaf*, whether that is in Thul-Hijjah or Al-Muharram.

Ash-Shaykh Ibn Baz

The ruling on the Woman in Menses traveling to her Family before the *Tawaf*. And is her Husband allowed to have sexual relations with her?

If the woman gets her menses before she performs *Tawaful-Ifadhah,* is she allowed to travel to her family, and then return after that for the *Tawaful-Ifadhah*? Or is she required to wait until she becomes pure and then perform the *Tawaf*?

If the woman gets her menses before *Tawaful-Ifadhah*, her *Mahram* waits for her until she becomes pure. If that is not possible, she may travel and when she becomes pure, she returns to complete her *Hajj*. In this situation her husband should not come near her (for sex). If she is not able to return, like if she lives in a distant land, then she may try to restrain the bleeding and perform *Tawaf* due to necessity.

Ash-Shaykh Ibn 'Uthaimin

If the Woman gets her Menses before *Tawaful-Ifadhah* and she is not able to remain until she becomes pure

A woman gets her menses and she does not perform *Tawaful-Ifadhah*. She lives outside of the Kingdom (of Saudi Arabia), and the time of departure from the Kingdom comes and she is not able to delay, and it is impossible for her to return to the Kingdom another time. So, what is the ruling?

If the matter is as has been mentioned — that there is a woman who has not performed *Tawaful-Ifadhah*, and she got her menses, and she is not able to stay in Makkah or return to it if she travels before making *Tawaf* — in this case she may use one of two methods. Either she can use an injection that stops this bleeding and perform *Tawaf* or she can try to restrain

the bleeding by using some restraining material that will prevent the flow of blood (on the floor) in the *Masjid*, and perform *Tawaf* due to necessity. This view that we have mentioned is the most correct view and it is the view chosen by Shaykhul-Islam Ibn Taimiyyah. The opposite of that leaves only one of two choices. Either she remains upon what was left of her *Ihram* by her being forbidden to her husband (for sex) and her not being able to get married if she is not already married, or she is considered restricted and thus she slaughters an animal and comes out of *Ihram*. In this last case, this *Hajj* is not counted for her. Both of these two matters are difficult. Therefore, the correct view is that which Shaykhul-Islam Ibn Taimiyyah chose for a situation like this due to necessity. Indeed Allâh said:

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي ٱلدِّينِ مِنْ حَرَجٍ﴾

"Allâh has not placed on you all in the religion any hardship."[1]

And He said:

﴿يُرِيدُ ٱللَّهُ بِكُمُ ٱلْيُسْرَ وَلَا يُرِيدُ بِكُمُ ٱلْعُسْرَ﴾

"Allâh wants ease for you and He does not want difficulty."[2]

If it is possible for the woman to travel and then return when she becomes pure, there is no sin on her to travel and return when she becomes pure. Then she performs *Tawaf* for the *Hajj*. During this time (until she returns for her *Tawaf*) she is forbidden to her husband (for sex), because she has not concluded the second phase of removing her *Ihram*.

Ash-Shaykh Ibn 'Uthaimin

[1] *Al-Hajj* 22:78.
[2] *Al-Baqarah* 2:185.

She assumed *Ihram* for *Hajj* while she was menstruating, then she went to Jeddah

A woman assumed *Ihram* for *Hajj* from As-Sayl (the *Miqat* from Najd) while she was menstruating. Then when she reached Makkah, she went to Jeddah for some personal need. Then, she became pure in Jeddah, so she bathed, combed her hair and then completed her *Hajj*. Is her *Hajj* correct or is she required to do something?

There is no sin on her for that and her traveling to Jeddah while she is menstruating does not harm her *Hajj*. She is not required to do anything. Likewise, her combing her hair, if that does not involve applying any perfume or cutting the hair, is allowed. If it involves applying perfume or cutting the hair, there is nothing required of her if she did that forgetfully or due to ignorance. If she did it intentionally, while knowing the Islamic ruling, she must offer a ransom of atonement for applying perfume and one for cutting her hair. This atonement is feeding six poor people, giving each of them half a *Sa'* of the country's food, or slaughtering a sheep or fasting three days for each of these acts of cutting the hair and using perfume.

Ash-Shaykh Ibn Baz

She got her Menses before performing *'Umrah* and she was not able to remain in Makkah until becoming pure

A woman came assuming *Ihram* for *'Umrah* and after her arrival in Makkah she got her menses. Then, her *Mahram* was forced to travel immediately and she did not have anyone (to stay with) in Makkah. So, what is the ruling?

If the matter is as mentioned regarding the menses of the woman before *Tawaf* while she was in *Ihram*, and her

Mahram was forced to travel immediately and she had no *Mahram* or husband in Makkah, the condition of purification from her menses for entering the *Masjid* to perform the *Tawaf* is removed from her due to necessity. Thus, she applies some padding and performs *Tawaf* and *Sa'y* for her *'Umrah*, unless it is easy for her to travel and return with her husband or a *Mahram* due to her close distance and easy provisions. Thus, she travels and returns as soon as her menses stop, so that she can perform *Tawaf* for her *'Umrah* while she is pure. For verily Allâh says:

﴿يُرِيدُ ٱللَّهُ بِكُمُ ٱلْيُسْرَ وَلَا يُرِيدُ بِكُمُ ٱلْعُسْرَ﴾

"Allâh wants ease for you and He does not want difficulty for you." [1]

And He said:

﴿لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allâh does not burden a soul except with what it can bear." [2]

And He said:

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي ٱلدِّينِ مِنْ حَرَجٍ﴾

"Allâh has not placed any hardship on you in the religion." [3]

And He said:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able." [4]

And the Messenger of Allâh ﷺ said:

«إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

"If I command you all to do something, then do it as much as you

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[1] *Al-Baqarah* 2:185.
[2] *Al-Baqarah* 2:286.
[3] *Al-Hajj* 22:78.
[4] *At-Taghabun* 64:16.

are able."[1]

And there are other texts besides these concerning ease and removal of hardship. A group of the people of knowledge has given this ruling that we have mentioned. Among them is Shaykhul-Islam Ibn Taimiyyah and his student, Al-Allamah Ibnul-Qayyim, may Allâh have mercy on them.

The Permanent Committee

She got her Menses while performing *Tawaful-Ifadhah*, so she completed it due to shyness

Q A woman traveled to perform *Hajj* and she got her monthly menstrual cycle five days before the date of her travel. After she reached the *Miqat*, she bathed and assumed *Ihram* while she had not become pure from her menstrual cycle. Then, when she reached Makkah Al-Mukarramah, she remained outside of the *Haram* (i.e., the *Masjid*) and she did not do anything of the rites of *Hajj* and *'Umrah*. Then she stayed for two days in Mina, and she became pure, bathed and performed all the rites of *'Umrah* while she was pure. Then her bleeding returned while she was performing *Tawaful-Ifadhah* for *Hajj*. However, she was shy and she completed the rites of *Hajj* without telling her guardian until after she reached her homeland. So, what is the ruling on that?

A If the matter occurred as the questioner mentioned, the mentioned woman must go to Makkah and perform *Tawaf* of the Ancient and Protected House (the *Ka'bah*) making seven circuits with the intention of *Tawaf* for her *Hajj*. This is to take the place of the *Tawaf* that she made while she was menstruating. Then, after the *Tawaf*, she prays two *Rak'ahs* of prayer behind the standing place of Ibrahim or in any place of the

[1] Al-Bukhari no. 7288, Muslim no. 1337 and Ahmad no. 2:508.

Haram (i.e., in the *Masjid*). With this, she completes her *Hajj*.

She is required to sacrifice an animal in Makkah for its poor people if she has a husband who had sex with her after the *Hajj*. This is because the woman in *Ihram* is not permissible for her husband to have sex with, until after the *Tawaful-Ifadhah*, stoning the pillar on the day of *'Eid* and cutting her hair. She must also make *Sa'y* between As-Safa and Al-Marwah if she has not performed *Sa'y* and she is performing *Hajj ut-Tamattu'*, (which is) making *'Umrah* before *Hajj*. However, if she is performing *Hajjul-Qiran* or *Al-Ifrad*, she does not have to perform *Sa'y* a second time if she already performed *Sa'y* with her *Tawaf* of Arrival.

She must repent to Allâh from what she did of performing *Tawaf* while menstruating, and leaving Makkah before making the *Tawaf* (*ul-Ifadhah*), and delaying the *Tawaf* for this long amount of time. We ask Allâh to accept her repentance.

Ash-Shaykh Ibn Baz

If the Woman has postnatal bleeding during the 8th Day of Thul-Hijjah and she becomes pure after ten Days

If a woman with postnatal bleeding begins her bleeding stage on the day of *Tarwiyyah* (8th of Thul-Hijjah) and she completes the pillars of *Hajj* other than *Tawaf* and *Sa'y*, but she notices that she initially becomes pure after 10 days, does she clean herself, bathe and perform the remaining pillar, which is the *Tawaf* of *Hajj* ?

Yes, if she gets postnatal bleeding on the 8th, for example, she may perform *Hajj* and stand with the people at 'Arafat and Muzdalifah. She may also do whatever the people do of stoning the pillars, cutting her hair, sacrificing an animal and other things. The only thing that remains due on her is the *Tawaf* and *Sa'y*, which she delays until she becomes pure. Then,

when she becomes pure after 10 days or more or less, she bathes, prays, fasts and performs *Tawaf* and *Sa'y*. There is no minimum limit for the time of postnatal bleeding. She may become pure in 10 days or less than that or more. However, its end is 40 days. If she completes forty days and the bleeding has not stopped, she considers herself as having the ruling of the pure women. She bathes, prays, fasts and considers the blood that remains with her as false blood - according to the correct view. She may pray with this blood, and fast, and she is considered lawful for her husband (for sex). However, she must strive to guard against it by using cotton or something similar, and she must perform *Wudhu'* for the time of every prayer. There is no harm if she combines the prayers of *Az-Zuhr* and *Al-'Asr*, the prayers of *Al-Maghrib* and *Al-'Isha'*, as the Prophet ﷺ advised Hamnah bint Jahsh to do so.

Ash-Shaykh Ibn Baz

The ruling of the menstruating Woman sitting at the place of *Sa'y*

Q Is it permissible for the woman who is menstruating to sit at the place of *Sa'y*?

A Yes, it is permissible for the woman who is menstruating to sit at the place of *Sa'y*, because the place of *Sa'y* is not considered a part of the Sacred Mosque. For that reason, if the woman gets her menses after *Tawaf* and before *Sa'y*, she may perform *Sa'y* because the *Sa'y* is not the *Tawaf*, and purity is not a condition of it. Based on this, we say that if the menstruating woman sits at the place of *Sa'y* waiting for her family, there is no sin on her for that.

Ash-Shaykh Ibn 'Uthaimin

Appointing Someone Else for the *Hajj*

Appointing someone else to stone the Pillars

Q When is it permissible to appoint someone to stone the pillars and is there any restriction about days during which it is not permissible to appoint someone?

A It is permissible to appoint someone else for (stoning) all of the pillars, for the sick person who is unable to throw the stones, the pregnant woman who fears for herself, the breast-feeding woman who has no one to look after her infants, the extremely old man and woman, and others similar to them. This applies to all of those who are unable to throw the stones. Likewise, the guardian of the male and female child throws for them. The appointed person throws for himself and for the person he is appointed for at one place of standing and at each pillar. He begins with himself, then he throws for the person who appointed him unless he is performing an optional *Hajj*, in which case he is not required to begin with himself. However, it is not permissible for someone to throw stones on behalf of another unless he is performing *Hajj*. In reference to the person who has not performed *Hajj*, he may not be appointed to throw for someone else and his throwing is not accredited to anyone else.

Ash-Shaykh Ibn Baz

The ruling on someone who is able to stone the Pillars appointing someone else to do it for him

Q Is it possible for me to appoint someone for myself to stone the pillars on the second day of *At-Tashreeq* due to family reasons that necessitate my return to Ar-Riyadh on that day, or do I have to slaughter an animal for that?

A It is not permissible for anyone to appoint someone else and travel before completing the stoning. Rather, it is

obligatory upon him to wait. If he is able, he must throw the stones himself, and if he is not able he may wait and appoint someone to do it for him. The person should not travel until his appointed representative finishes stoning the pillars. Then, this person who appointed someone else to throw, performs the Farewell *Tawaf* of the House (the *Ka'bah*) and after that he may travel.

However, if he is healthy, he may not appoint someone else. Rather, it is obligatory upon him to throw the stones himself, because when he assumed *Ihram* for *Hajj*, it became obligatory upon him to complete it. This is as Allâh said:

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ﴾

"And complete the Hajj and the 'Umrah for Allâh."[1]

The same applies to the *'Umrah*, as this noble Verse mentions, if the person starts it, he must finish it and complete it. He may not appoint someone to do some of the acts of *Hajj*, according to the correct view, as long as he is able to do them himself. If he travels before stoning, he must sacrifice an animal and feed the meat to the poor people of Makkah.

Ash-Shaykh Ibn Baz

Appointing someone to stone on behalf of the sick Person, the Woman and the Child

Q What is the ruling on appointing someone to stone on behalf of the sick person, the woman and the child?

A There is no harm in appointing someone to stone on behalf of the sick person, and the woman who is not able, like the pregnant woman, the heavy woman and the weak woman who cannot stone the pillars. There is no harm in appointing someone to throw stones for them. Concerning the

[1] *Al-Baqarah* 2:196.

strong and active woman, she must throw the stones for herself. Whoever is not able to do it during the day after midday, he may throw the stones at night. Whoever is not able to throw the stones on the day of the *'Eid* (the 10th of Thul-Hijjah), he may throw them that night, which is the 11th night on the day of the *'Eid*. Whoever is not able to throw on the 11th day, he may throw on that night, which is the 12th night. Whoever is not able to throw on the 12th day or he missed throwing after midday, he may throw on that night, which is the 13th night, and the stoning does not end until the coming of *Fajr* time (on the morning of the 13th of Thul-Hijjah). In reference to the day, the person may not stone the pillars until after midday during the days of *Tashreeq*.

Ash-Shaykh Ibn Baz

The ruling on appointing someone to stone the Pillars because of overcrowding and other reasons

Q Is it permissible for a woman to appoint someone to stone the pillars for her due to fear of the crowding while her *Hajj* is an obligatory *Hajj*, or does she have to stone the pillars for herself?

A It is permissible for the woman to appoint someone to throw for her when there is crowding during stoning the pillars, even if her *Hajj* is the obligatory *Hajj*. This may be due to her illness or weakness, and to protect her pregnancy if she is pregnant, and to protect her honor and dignity so that her honor is not violated.

The Permanent Committee

Q A woman performed *Hajj* and carried out all of its rites except for stoning the pillars. She appointed someone to stone them on her behalf because she had a small infant with her. Yet, this *Hajj* was her obligatory *Hajj*. So, what is the ruling on that? Please give us a ruling, and may Allâh reward you.

There is no sin on her for that, and the stoning of the appointed person suffices her due to the great danger for women during crowding when stoning the pillars, let alone for those who have infants with them.

Ash-Shaykh Ibn Baz

The ruling on someone who is able appointing another person to throw for him due to heavy automobile traffic

Is it permissible to appoint someone to stone the pillars for a person who is driving his car and he gets caught in the traffic on the road until the *'Asr* prayer?

It is obligatory for the mentioned person to stone the pillars for himself as long as he is able to do that. He is the one who put himself among these cars by his own choice. He had the ability to stone the pillars and then drive his car. Along with this, this driver still has the time between *Al-'Asr* and *Al-Maghrib*, which is a long time for his situation to change for stoning and praying the *'Asr* prayer in its time.

The Permanent Committee

The ruling on appointing someone to stone the Pillars and perform the Farewell *Tawaf*

What is the ruling on someone who appoints another person to stone the pillars on the second day (of the days of *At-Tashreeq*)? What is the ruling on someone who appoints another person to perform the Farewell *Tawaf* (*Tawaful-Wada'*) and he goes to his homeland? Is that permissible, while knowing that the appointed person is young?

Firstly, if the person who is doing the appointing is unable to do the stoning himself, and his appointed person is a

responsible person who is performing *Hajj*, and he earnestly seeks out someone who he can trust to do this, it is correct to appoint him for stoning. The ruling is the same even if the appointed person is young. Hence, the appointed person does the stoning for himself first, and then for the person who appointed him. However, if the person doing the appointing is able to do the stoning himself or the appointed person is not responsibly mature or he is not performing *Hajj*, then it is not correct to appoint him to do the stoning. Thus, the person who appointed him must slaughter an animal (as atonement).

Secondly, it is not correct to appoint someone to perform the Farewell *Tawaf* or any other *Tawaf* of the House (the *Ka'bah*). Whoever appoints someone to perform the Farewell *Tawaf* for him and he do not perform the *Tawaf* himself, he has committed a sin. It is obligatory for such a person to slaughter an animal for his leaving off the Farewell *Tawaf*. He slaughters the animal at the *Haram*. Also, the person who does the appointing (for stoning) may not leave until his appointed person performs the stoning. Then he performs *Tawaf* for himself for the Farewell *Tawaf* after the completion of the stoning.

The Permanent Committee

Appointing someone else to perform *Tawaf* is not permissible

Q My mother went with my father for *Hajj* and there were three men with them in the group. Each of these men had brought his wife along with him so that they could perform the obligation of *Hajj*. They performed the obligation and when it was time for the Farewell *Tawaf*, the *Haram* (i.e., Sacred Mosque) was crowded with *Hajj* pilgrims. At that time the women who were with my mother were not able to go down into the interior of the *Haram*, so they appointed their husbands (to do the *Tawaf* for them). However, my mother vowed to do the *Tawaf* (herself) so she fulfilled her

vow. My question is what is the ruling on her vow while she was inside the *Haram*, and is it permissible to appoint someone else to perform *Tawaf*?

It is not permissible to appoint someone else to perform *Tawaf*, regardless of whether it is the *Tawafuz-Ziyarah* (i.e., *Al-Ifadhah*) or the Farewell *Tawaf*. Whoever leaves it off, his *Hajj* is not complete. However, the Farewell *Tawaf* may be made up for by sacrificing an animal in Makkah for the poor people of the *Haram*. Likewise, the Farewell *Tawaf* is not required for the menstruating woman or the woman with postnatal bleeding if she already performed the *Tawafuz-Ziyarah*. In reference to this vow, it is of no importance. The obligatory *Tawaf* does not require a vow, because it is obligatory according to the basis of the Islamic law. Therefore, whoever vows to perform a *Tawaf* that is not obligatory on him, he is required to do it and it becomes an obligation due to the vow. This is due to Allâh's Statement:

﴿ثُمَّ لْيَقْضُوا تَفَثَهُمْ وَلْيُوفُوا نُذُورَهُمْ وَلْيَطَّوَّفُوا بِالْبَيْتِ الْعَتِيقِ ﴿٢٩﴾﴾

"Then let them complete their prescribed duties (Manasik of Hajj) and fulfill their vows, and circumambulate the Ancient House (the Ka'bah at Makkah)."[1]

Ash-Shaykh Ibn Jibreen

Whoever represents someone else for stoning the Pillars along with stoning for himself, he begins with himself first

If a man is a representative for his father and mother for stoning the pillars along with stoning for himself, is he required to throw the stones in a specified order or is he given the choice in putting first whoever he wishes?

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[1] *Al-Hajj* 22:29.

If the man is representing his mother and father for the stoning due to their inability or illness, he throws for himself then he throws for his parents. If he begins with the mother (after himself) this is better, as her right is greater (than the father's). If he does it the other way around by beginning with his father (before the mother), there is no problem with that. In reference to himself, he should begin with himself first, especially if he is performing an obligatory *Hajj*.

However, if he is performing an optional *Hajj*, it does not harm him whether he begins with himself or with the parents, but if he begins with himself that is preferred and better. Then he should stone on behalf of his mother and then his father at one place of standing on the day of the *'Eid* (10th of Thul-Hijjah). However, on days other than the day of *'Eid*, the stoning is after midday and he stones for each of them throwing 21 stones at each pillar. If he begins with some stones instead of others, there is no problem with that, and if he begins with the stoning for his father before his mother or he stones for them before himself, if he is performing an optional *Hajj*, there is no problem. However, if he is performing an obligatory *Hajj*, he must begin with himself, then stone on behalf of his parents.

Ash-Shaykh Ibn Baz

The ruling on appointing someone to perform *Sa'y*

What is the ruling on whoever is not able to perform *Sa'y* during *Hajj* or *'Umrah*? Can he appoint a representative to perform *Sa'y* in his place or perform *Tawaf*, for example? And what is the ruling if he recovers (from his illness or inability) after missing the time of *Hajj*?

It is not correct for someone to appoint someone else to perform *Tawaf* or *Sa'y* for him. Rather, it is obligatory for him to perform *Tawaf* and *Sa'y* for himself, even if he is carried on a bed or on a cart. If he is not able to do even that due to the severity of his illness, he remains in his *Ihram* until he is cured,

even if it is after a number of months, if he is expected to get better. It is not permissible for him to break his *Ihram*, as it has not been nullified by any nullification. If he has lost hope of the illness ending, he is like one who is prevented (from completing the *Hajj* or *'Umrah*). Thus, he slaughters a sheep and feeds it to the poor people of the *Haram*, and he comes out of the state of *Ihram*. This is due to Allâh's Statement:

﴿فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ﴾

"But if you are prevented (from completing Hajj and 'Umrah), sacrifice a Hady (animal, i.e., a sheep, a cow, or a camel) such as you can afford."[1]

If he does not have the price of the sheep (to have it slaughtered), he fasts ten days and then removes his *Ihram*. If he becomes sick before *'Arafah* and he misses the standing (at 'Arafat), then he has missed the *Hajj* and he must come out of *Ihram* with only an *'Umrah*. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

The Acts of *Hajj*

The Actions on the Day of Sacrifice and the ruling on doing some things first and delaying some things in the order of these Acts

Q What is better for the *Hajj* pilgrim concerning the acts of the day of Sacrifice (i.e., the *'Eid*, the 10th of Thul-Hijjah), and is it permissible to do some things first and delay others?

A The Sunnah during the day of Sacrifice is to stone the pillars by stoning the pillar of *Al-'Aqabah*, which is the one in the direction of Makkah. It should be stoned with seven

[1] *Al-Baqarah* 2:196.

stones, each stone being thrown separately and the *Takbeer* (saying *'Allâhu Akbar'*) should be said with each stone. Then, the person should sacrifice his animal if he has an animal with him. Then he should shave his head or shorten it (i.e., get a hair cut), and shaving it is better. Then he should perform *Tawaf* and *Sa'y* if he is required to perform a *Sa'y*. This is better, as the Prophet ﷺ did it (in this order). For verily he ﷺ stoned, then slaughtered, then shaved his head, then went to Makkah and performed *Tawaf*. This order is better: stoning, then slaughtering, then shaving the hair or shortening it, then performing *Tawaf* and *Sa'y* - if the person is required to make a *Sa'y*. If the person does some of them before others (out of sequence), there is no problem with that. So, if he slaughters before stoning, or performs *Tawaful-Ifadhah* before stoning, or he shaves his hair before stoning, or he shaves his hair before slaughtering, all of this is fine. The Prophet ﷺ was asked about whoever did some things before others or delayed some things and he said:

«لَا حَرَجَ لَا حَرَجَ»

"No problem, no problem."[1]

Ash-Shaykh Ibn Baz

The meaning of the first and second Phase of removing the *Ihram*

Q What is meant by the terms the first removal of *Ihram* and the second removal of *Ihram*?

A What is meant by the term the first removal of *Ihram* is when a person does two of three acts, by either stoning and shaving his hair or cutting it, or stoning and making *Tawaf*, or making *Tawaf* and shaving his hair or cutting it. This is the first removal of *Ihram*. If the person does all three acts: stoning, *Tawaf*, and shaving the hair or cutting it, this is the second

[1] Al-Bukhari no. 1721 and Muslim no. 1306.

removal of *Ihram*. If the person only does two, he may wear a seamed garment, apply perfume and everything that was unlawful for him becomes lawful for him, except sexual intercourse. Then, when he does the third thing and completes whatever remained due upon him, it becomes lawful for him to have sex. Some of the scholars went with the view that when the person stones the pillar on the day of the *'Eid*, the first removal of *Ihram* is correct for him, and this is a good view. If the person does it, there is no sin upon him, if Allâh wills. However, the best and safest view is that he should not make haste (to remove *Ihram*) until he does a second act along with stoning after it, such as shaving the head or shortening it, or adding to it (the stoning) the *Tawaf*. This is due to a *Hadith* of 'A'ishah ﵂, even though there is some doubt about its chain of narration (i.e., its authenticity), that the Prophet ﷺ said:

«إِذَا رَمَيْتُمْ وَحَلَقْتُمْ فَقَدْ حَلَّ لَكُمُ الطِّيبُ وَالثِّيَابُ وَكُلُّ شَيءٍ إِلَّا النِّسَاءَ»

"When you have stoned and shaved your heads, indeed perfume and everything else is permissible for you, except women (i.e., for sex)."[1]

This is also due to other *Hadiths* that have been related regarding this issue. It is also because after the Prophet ﷺ stoned the pillar on the day of the *'Eid*, slaughtered his animal and shaved his head, 'A'ishah ﵂ applied perfume to him. The apparent meaning of the text is that he did not apply perfume until after he had stoned the pillar, slaughtered and shaved his head. Therefore, it is better and safer that the person does not remove *Ihram* for the first removal of *Ihram* until after he has stoned the pillar and shaved his head or shortened his hair. Also, if it is easy, the person may sacrifice the animal after stoning the pillar and before shaving his head. That is better and it contains a combining of understanding between the *Hadiths*.

Ash-Shaykh Ibn Baz

[1] Ahmad 6:143.

Tawaf and Sa'y

Two *Rak'ahs* of *Tawaf* suffice for *Tahiyyatul-Masjid*

Q If I intended to perform *'Umrah* or *Hajj* and I assumed *Ihram* and entered the Sacred Mosque, do I pray two *Rak'ahs* of *Tahiyyatul-Masjid* or do I enter the *Tawaf* immediately?

A What is legislated for the *Hajj* and *'Umrah* pilgrims is that whoever enters the Sacred Mosque he begins with *Tawaf*, and the two *Rak'ahs* of *Tawaf* will suffice for *Tahiyyatul-Masjid*. However, he is excused from this if there is an Islamic valid excuse that prevents him from making *Tawaf* when he enters the *Masjid*. In that case, he prays two *Rak'ahs* of *Tahiyyatul-Masjid*, then he performs *Tawaf* whenever that is easy for him to do. Likewise, if he enters the *Masjid* and the prayer has begun, he prays with the people, then he performs *Tawaf* after that. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Performing *Tawaf* far away from the *Ka'bah*

Q What is the ruling of performing *Tawaf* behind the standing place (of Ibrahim) or behind (the well of) *Zamzam*?

A There is no harm in that, even if the person performed the *Tawaf* in the areas with awnings in the *Masjid* that is sufficient for him. However, the closer he is to the *Ka'bah*, the better. If there is room there and there is no crowding, he should come near to the *Ka'bah* and that is better. If that is difficult for him, he should perform *Tawaf* at a distance, and there is no problem with that.

Ash-Shaykh Ibn Baz

The ruling on performing *Tawaf* on the upper Floor of the *Haram*

Q I was performing *Hajj* last year, in the year 1400 AH, and when I returned on the second day of the days of *At-Tashreeq* immediately after midday, I went to make *Tawaf* around the *Ka'bah*. I was going to perform the Farewell *Tawaf* and I was going from the place of our tents that were at the end of Mina to the place of stoning and then to the *Haram* walking the entire way on foot. Then when we reached the *Haram* we found it overcrowded with people. They were almost reaching the awning areas in the *Masjid* with their performance of *Tawaf*. The time was midday and we were fatigued from walking. Then my friend said to me: "Let's go perform *Tawaf* on the upper floor to avoid the crowd and the sun." So, we performed *Tawaf* and then we went back to our homeland. Then, when we went for *Hajj* this year, I asked some of the scholars of the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance at Mina about this. Some of them said there is no problem with performing *Tawaf* upstairs due to overcrowding of the people and their *Tawaf* reaching to the areas under the awning. Others among them said that this is not permissible, because the level of the upper floor is higher than the level of the *Ka'bah*. I hope from your eminence a clarification concerning this point.

A If the matter is as has been mentioned, there is no sin on you and your *Tawaf* is correct. And success comes from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The *Tawaf* suffices with the intention of it being for the person carrying someone and the one being carried

Q If the person performing *Sa'y* or *Tawaf* is carrying a small infant or a sick person, is the *Sa'y* or *Tawaf* sufficient for both the carrier and the one being carried or not?

A It suffices both of them with the intention of the carrier and the intention of the one being carried who is of the age of distinguishing according to the most correct view of the two opinions of the scholars. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The ruling on performing *Tawaf* inside the walled area of Isma'il

Q A man performed *Tawaf* inside the walled area of Isma'il, then he performed *Sa'y* and then he removed his *Ihram*. Then he went to his home and had sex with his wife. Is there any sin on him for that?

A This *'Umrah* is corrupted because his *Tawaf* was not correct. Thus, he must repeat the *Tawaf* and *Sa'y*, and shorten his hair. He must also sacrifice an animal, which is a sheep that should be slaughtered in Makkah for his having sex with his wife before completing his *'Umrah*. This is because his *Tawaf* performed inside of the walled area was not correct. He must perform *Tawaf* behind (i.e., outside of) the wall area. With that his corrupted *'Umrah* will be complete. Then he should perform another *'Umrah* properly, assuming *Ihram* for it from the same *Miqat* that he assumed *Ihram* from for the first *'Umrah*. This is what is obligatory

upon him due to his corrupting his *'Umrah* by having sex. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on performing *Tawaf* inside the walled area of Isma'il

Q Is it correct for the *Hajj* pilgrim or the pilgrim performing *'Umrah* to enter inside of the walled area of Isma'il while making *Tawaf* of the House (the *Ka'bah*)?

A It is not permissible for the person performing *Tawaf* of the House (the *Ka'bah*) during *Hajj* or *'Umrah* or an optional *Tawaf* to enter inside the walled area of Isma'il, and that (*Tawaf*) is not acceptable for him if he did that. This is because the *Tawaf* is to be around the House and the walled area is a part of the House. This is due to the Statement of Allâh:

﴿وَلْيَطَّوَّفُوا بِالْبَيْتِ الْعَتِيقِ ﴿٢٩﴾﴾

"Then let them perform Tawaf around the Ancient House (the Ka'bah)."[1]

This is also due to what Muslim and others recorded from 'A'ishah ﵂ that she asked the Messenger of Allâh ﷺ about the walled area (of Isma'il) and he said:

«هُوَ مِنَ الْبَيْتِ»

"It is part of the House (the Ka'bah)."[2]

In another wording she said that she vowed to pray in the House (the *Ka'bah*), so he (the Prophet ﷺ) said:

«صَلِّي فِي الْحِجْرِ إِذَا أَرَدْتِ دُخُولِ الْبَيْتِ فَإِنَّمَا هُوَ قِطْعَةٌ مِنْ الْبَيْتِ»

"Pray in the walled area (of Isma'il), for verily, the walled area is

[1] *Al-Hajj* 22:29.
[2] Muslim no. 405/1333.

a part of the House (the Ka'bah)."[1]

The Permanent Committee

The ruling on kissing the Black Stone for Women when it is crowded

Q The questioner says: "I saw someone performing *Tawaf* and pushing his women (i.e., wives, daughters, etc.) to make them kiss the Stone. Which of the acts is better - kissing the Stone or avoiding crowding together with men?"

A If this questioner saw this amazing matter, I saw something even more amazing than that. I saw someone stand up before making the *Tasleem* to complete the obligatory (congregational) prayer, so that he could run forward with force to kiss the Stone! So, he invalidated his obligatory prayer that is one of the pillars of Islam so that he could do this act that is not obligatory, nor is it legislated unless it is combined with *Tawaf.* This is from the ignorance of the people, that is compounded ignorance that causes a person to feel sorry. Kissing the Stone and touching it is not Sunnah unless it is done while performing *Tawaf,* because I do not know of touching it separately outside of *Tawaf* being from the Sunnah. And I say I do not know and I hope that whoever has knowledge contrary to what I know will inform us of it, and may Allâh reward him with good. Therefore, it is from the Sunnah acts of *Tawaf.* Then, it is only Sunnah if there is no harming of others or oneself in that. If there is any harm involved in that for the person performing *Tawaf* or others, then we move to the second level which the Messenger of Allâh ﷺ legislated for us, which is touching the stone with hand and then kissing the hand. If this action is also not possible, except by causing harm (to others) or with difficulty — then we move to the third level which the Messenger of Allâh ﷺ legislated for us, which is waving at it. Thus, we wave at it with our hand, not

[1] Abu Dawud no. 2028, At-Tirmithi no. 876 and An-Nasa'i No. 2915.

with both of our hands, but with our right hand only. We wave at it and we do not kiss it. This was the Sunnah of the Messenger ﷺ. If the matter is even worse and more severe, as the questioner has mentioned, that a man was pushing his women, it could be that his wife was pregnant or old or a young lady who could not bear such struggle or he has a child that he lifts with his hand to kiss the Stone. All of these things are bad, because this causes harm to the family, and struggling and crowding with men. All of this is from what could be either forbidden or disliked. Therefore, the man should not do this, as long as the matter is easy, and all praise is due to Allâh. Therefore, take it easy on yourself and do not make things hard or Allâh will make things hard on you.

Ash-Shaykh Ibn 'Uthaimin

The ruling on touching the Yemeni Corner and waving at it

What is the ruling on wiping or waving at the north-western corner of the Noble Ka'bah during *Tawaf*? What is the number of *Takbeers* (i.e., saying *'Allâhu Akbar'*) that are said at it and at the Black Stone? Please benefit us with an answer.

It is legislated for the person performing *Tawaf* to touch the Black Stone and the Yemeni Corner during every circuit of the circuits of *Tawaf*. Likewise, it is recommended for the person to kiss the Black Stone particularly during each circuit along with touching it, even in the last circuit if that is easy without any hardship. However, if there is difficulty in doing so, it is disliked to crowd. It is legislated to wave at the Black Stone with one's hand or a stick and say *'Allâhu Akbar'* (Allâh is the Most Great). In reference to the Yemeni Corner, there is nothing reported, as far as we know, that proves that it should be waved at. It is only touched with the person's right hand if he is able to do so without difficulty. The person should

not kiss it. He should say *'Bismillâh, wallâhu Akbar'* (In the Name of Allâh, and Allâh is the Most Great), or he should say, *'Allâhu Akbar'* (Allâh is the Most Great). However, if there is difficulty, it is not legislated for him to touch it and he continues in his *Tawaf* without waving at it or saying any *Takbeer*, as there is nothing reported from the Prophet ﷺ or his Companions ﷺ concerning that. This is as I have clarified in my book, *At-Tahqiq wal-Eidhah li-Kathir min Masa'ilil-Hajj wal-'Umrah waz-Ziyarah* (*Verification and Clarification for Many of the Issues of Hajj, 'Umrah and Ziyarah*).

In reference to the *Takbeer*, it is said only once and I do not know of anything that proves the legislation of saying it repeatedly (more than once). The person says during all of his *Tawaf* whatever is easy for him of supplications, legislated words for remembrance of Allâh and he completes each circuit by what is confirmed from the Prophet ﷺ that he used to complete each circuit with. That is the famous supplication: *"Rabbana aatina fid-dunya hasanatan wa fil-aakhirati hasanatan wa qina 'athaaban-naar"* (Our Lord, give us good in this life and good in the Hereafter, and protect us from the torment of the Fire). And all of the words for remembrance of Allâh and supplications are Sunnah during *Tawaf* and they are not obligatory. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Is purity a condition for *Tawaf* and *Sa'y*

Q Is purity required for *Tawaf* and *Sa'y*?

A Purity is only required for *Tawaf*. In reference to *Sa'y*, it is better that it is done with purity, but if the person performs *Sa'y* without purity, that is acceptable.

Ash-Shaykh Ibn Baz

The ruling on whoever touches a Woman during *Tawaf*

Q A man was performing *Tawaful-Ifadhah* during severe crowding and he touched the body of a woman who was not related to him. Does that nullify his *Tawaf* and should he start it over based on making an analogy with *Wudhu'* or not?

A The man touching the body of a woman during his *Tawaf* or during crowding in any place does not harm his *Tawaf*, nor does it harm his *Wudhu'*, according to the most correct of the views held by the scholars. The people have disputed concerning touching a woman and does that break the *Wudhu'* and there are different statements concerning it. It has been said that it does not break the *Wudhu'* at all. It has been said that it absolutely breaks the *Wudhu'*. It has also been said that it breaks the *Wudhu'* if it is accompanied by desire. The most correct view from these opinions and that which is right among them is that it does not break the *Wudhu'* at all, and that if a man touches a woman or kisses her, his *Wudhu'* is not broken according to the most correct view. This is because the Messenger ﷺ kissed some of his wives then prayed without making *Wudhu'*. It is also because the basic principle is that the *Wudhu'* and purity is intact, and it is not permissible to say that it is broken by something unless there is an established evidence that proves the *Wudhu'* is broken by touching a woman unrestrictedly. In reference to Allâh's Statement:

﴿أَوْ لَـٰمَسْتُمُ ٱلنِّسَآءَ﴾

"Or you have come in contact with women."[1]

The correct view concerning its explanation is that it means sexual intercourse. Likewise concerning the other recitation:

﴿أَوْ لَمَسْتُمُ النِّسَآءَ﴾

[1] *Al-Ma'idah* 5:6.

"Or you have touched women."

It also means sexual intercourse, as Ibn 'Abbas ﷺ and a group of the scholars said. It does not mean simply touching the woman as is reported from Ibn Mas'ud ﷺ. Rather, the correct view concerning this is that it means sexual intercourse as Ibn 'Abbas ﷺ and a group of the scholars have said. By this it is known that the person who touches the body of a woman during *Tawaf*, his *Tawaf* is correct and so is his *Wudhu'*. Even if he touches his wife or kisses her, his ablution will be correct as long as nothing comes out of him (i.e., sperm, semen, etc.).

Ash-Shaykh Ibn Baz

Stoning the large Pillar before Midnight and performing *Tawaf* without Purity

Q I am a *Hajj* pilgrim who stoned the large pillar before midnight, then I immediately went to the *Haram* (i.e., the Sacred Mosque) to perform *Tawaful-Ifadhah*. During this time I lost my *Wudhu'*, so I completed my *Tawaf*, but due to the congestion around the standing place of Ibrahim, I was not able to offer the two *Rak'ahs* of *Tawaf*. Then I left the borders of the Sacred Area (i.e., the city of Makkah) and Mina and I did not return until after the *Maghrib* prayer. So, did I violate anything from the rites of *Hajj*, since my *Hajj* was a *Hajj* of *Al-Ifrad*?

A Stoning the pillar before midnight is not permissible. Verily, the beginning of the time for stoning the pillar is after the middle of the night, before the day of Sacrifice, according to a group of the people of knowledge. So, it is not permissible to stone it before that.

Secondly, his *Tawaf*, if it was before midnight, it was also not correct. Even if it was after midnight, it was still not correct because he performed *Tawaf* without purity and broke his *Wudhu'* during the *Tawaf*. Therefore, in any case, he did not

perform *Tawaf* according to the correct opinion. Thus, he must repeat the stoning and he must repeat the *Tawaf* after that, with the intention of *Tawaful-Ifadhah* and the intention of stoning the pillar on the day of *'Eid*. His *Tawaf* in which he broke his *Wudhu'* is not sufficient for him. If he did not remember and he is not aware until after the times for stoning, he must slaughter an animal (as atonement), because he actually did not perform the stoning. Thus, he must slaughter an animal with the intention of (making up for) leaving off the stoning. He must perform the *Tawaf* at any time. Thus, he may perform *Tawaf* even if it is at the end of Thul-Hijjah or during Muharram or whenever he remembers, so that he can complete his *Hajj*. The animal is to be slaughtered in Makkah and distributed among the poor people of the *Haram*. And Allâh knows best.

Ash-Shaykh Ibn Baz

When the Prayer begins during *Tawaf*

What is the ruling if the prayer starts and the *Hajj* pilgrim or the *'Umrah* pilgrim has not completed *Tawaf* or *Sa'y*?

He prays with the people and then he completes his *Tawaf* or *Sa'y* from where he left off. He begins from wherever he stopped.

Ash-Shaykh Ibn Baz

The Prayer started while he was in *Tawaf*

If a person began the *Tawaf* of the Ancient House (the *Ka'bah*), and he performed three or four circuits of the *Tawaf* and whatever he was able, then the prayer started, what should he do? Does he stop the *Tawaf* or complete it? And if he stops it, does it start based upon what he already did or does he start all over again?

If the prayer begins while he is performing *Tawaf*, he prays. Then after he finishes his prayer, he completes

whatever is left of his *Tawaf*, but he does not count the last circuit from the circuits that he did before the prayer, if that circuit was not complete. The complete circuit is the circuit that is made from the Black Stone. So, if it is not completed, he begins (again) from the Black Stone. And this view contains security against the difference of opinion (in this issue).

Ash-Shaykh Ibn Baz

Whoever has Doubt about the Number of Circuits of *Tawaf*, he bases his Decision on whatever he is certain of

Q During the past Ramadhan I performed the rites of *'Umrah*, but at the end of the *Tawaf*, I was afflicted with doubt concerning the number of circuits I had done - was it six or seven? Due to fear of being deficient in the number of circuits and to cut off the doubt, I made an extra circuit of *Tawaf*. I do not know was this act of mine correct or not. Is there any sin on me for that?

A You did well in that and this is what is obligatory on you. For verily, what is obligatory on whoever has doubt concerning the number of circuits of *Tawaf* or *Sa'y* is to base his decision on what he is certain of, and that is the least number. This is like if a person doubts in the prayer as to whether he prayed three or four *Rak'ahs*. He bases his decision on what he is certain of, which is the least number, and he performs the fourth *Rak'ah* and makes the prostration for forgetfulness. He does this if he is leading others in prayer or praying alone. However, if he is being led in prayer, then he follows the person who is leading him. Likewise is the case with *Tawaf* and *Sa'y*. If the person performing *Tawaf* doubts as to whether he made six circuits or seven, he bases his decision on what he is certain of, which is the least number, and he performs the seventh circuit and there is no sin on him. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on the two *Rak'ahs* of *Tawaf* and where they are to be prayed

Are the two *Rak'ahs* of *Tawaf* behind the standing place of Ibrahim obligatory for every *Tawaf*, and what is the ruling on whoever forgets them?

It is not obligatory to offer them behind the standing place of Ibrahim. The two *Rak'ahs* may be prayed in any place in the *Haram* (i.e., the Sacred Mosque). Whoever forgets them, there is no sin on him because they are *Sunnah* and not obligatory. And Allâh gives success.

Ash-Shaykh Ibn Baz

Whoever is not able to perform the *Tawaf* of Arrival (*Tawaful-Qudum*), what must he do?

Whoever is not able to perform the *Tawaf* of Arrival (*Tawaful-Qudum*) because he did not reach Makkah until *'Asr* time on the day of *'Arafah* (the 9th of Thul-Hijjah), should he go to 'Arafat immediately without passing by the *Haram*, and what must he do?

He has the choice. If he wishes, he may enter Makkah and perform *Tawaf* and *Sa'y*, remain in his *Ihram*, go out to 'Arafat and stand there as much as Allâh wishes, even if it is at night. Then he may leave to Muzdalifah to spend the night there. Also, if he wishes, he may go directly to 'Arafat and stand there until sunset, then set out to Muzdalifah with the people, pray the *Maghrib* and *'Isha'* prayers there and spend the night there. Then he may perform *Tawaf* and *Sa'y* after that on the day of Sacrifice (the 10th of Thul-Hijjah) or after it, and there is no sin on him for that, nor is he required to slaughter an animal if he assumed *Ihram* for *Hajj* only. However, if he assumed *Ihram* for *Hajj* and *'Umrah* together, he must sacrifice an animal of *Tamattu'*, which is a seventh of a camel or a seventh of a cow or a

two-year-old goat or a year-old sheep. He slaughters it in Mina or in Makkah, and he eats from it and gives some of it away in charity. This is due to Allâh's Statement:

﴿لِّيَشْهَدُوا مَنَافِعَ لَهُمْ وَيَذْكُرُوا اسْمَ اللَّهِ فِي أَيَّامٍ مَّعْلُومَاتٍ عَلَىٰ مَا رَزَقَهُم مِّن بَهِيمَةِ الْأَنْعَامِ ۖ فَكُلُوا مِنْهَا وَأَطْعِمُوا الْبَائِسَ الْفَقِيرَ ﴿٢٨﴾﴾

"That they may witness things that are of benefit to them (i.e., reward of Hajj in the Hereafter, and also some worldly gain from trade), and mention the Name of Allâh on appointed days (i.e., 10th, 11th, 12th and 13th days of Thul-Hijjah), over the beast of cattle that He has provided for them (for sacrifice). Then eat thereof and feed therewith the poor who have a very hard time."[1]

Ash-Shaykh Ibn Baz

He died before he performed *Tawaful-Ifadhah*

Q The ruling on whoever completed the actions of *Hajj* except for *Tawaful-Ifadhah*, and then he died. Should *Tawaf* be performed for him or not?

A Whoever completed the actions of *Hajj* except for *Tawaful-Ifadhah*, then he died before that, *Tawaf* is not made for him. This is due to the statement of Ibn 'Abbas ﷺ who said that while a man was standing (at 'Arafat) with the Messenger of Allâh ﷺ, he suddenly fell from his riding animal and it broke his neck and he died. That was mentioned to the Prophet ﷺ and he said:

«اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْنِ، (وَلَا تُحَنِّطُوهُ) وَلَا تُخَمِّرُوا رَأْسَهُ وَلَا وَجْهَهُ فَإِنَّ اللهَ تَعَالَى يَبْعَثُهُ يَوْمَ الْقِيَامَةِ مُلَبِّيًا»

"Wash him with water and Sidr, and shroud him in his two (Ihram) garments. And do not apply fragrance to him and do not

[1] *Al-Hajj* 22:28.

cover his head. For verily Allâh will raise him on the Day of Resurrection while he is saying the Talbiyyah."[1]

This was recorded by Al-Bukhari, Muslim and the *Sunan* compilers. The Prophet ﷺ did not order that *Tawaf* be made for him. Rather, he informed that Allâh will resurrect him on the Day of Resurrection while he is saying the *Talbiyyah* due to his remaining in his *Ihram*, as he did not perform *Tawaf* and *Tawaf* was not performed for him.

The Permanent Committee

The ruling on delaying the *Sa'y* after the *Tawaf*

Q What is the ruling on the person who performs *Tawaful-Ifadhah* and he does not perform *Sa'y* until the sun sets after the last days of *At-Tashreeq*? And what is the ruling on the *Sa'y* if the person performed *Sa'y* after sunset on that day and after the days of *At-Tashreeq*?

A Your performing *Sa'y* during the last days of *At-Tashreeq* or after the days of *At-Tashreeq* is correct. There is no sin on you in delaying it, because it is not a condition of its correctness that it must be done with the *Tawaf*. However, it is from perfection that it is done along with the *Tawaf* — immediately after it — in following the Prophet ﷺ.

The Permanent Committee

The ruling on performing *Tawaful-Ifadhah* before stoning the Pillar or before standing at 'Arafat

Q Is it permissible to perform *Tawaful-Ifadhah* and *Sa'y* before stoning the large pillar of Al-'Aqabah or before standing at 'Arafat? Please benefit us with an answer and may Allâh benefit you.

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[1] Al-Bukhari no. 1849, 1850 and Muslim no. 1206.

It is permissible to perform the *Tawaf* and *Sa'y* for *Hajj* before stoning the pillar, but the *Tawaf* of *Hajj* may not be performed before 'Arafat or before midnight on the night before the day of Sacrifice. Rather, if the person departs from it ('Arafat) and leaves from Muzdalifah during the night before the *'Eid*, it is permissible for him to perform *Tawaf* and *Sa'y* during the last half of the night before the day of Sacrifice and on the day of Sacrifice before stoning. A man said to the Prophet ﷺ: "I performed *Tawaful-Ifadhah* before stoning." The Prophet ﷺ said:

«لَا حَرَجَ»

"No problem."[1]

So, when the person leaves from Muzdalifah on the morning of the *'Eid* or during the end of the night, like women and others like them, it is permissible for them to begin with the *Tawaf*. This may be so that the woman does not get her menses (i.e., before performing *Tawaf*) and likewise the weak man may begin with *Tawaf* then do the stoning after that. There is no problem with that. However, it is better for him to stone, then sacrifice the animal if he has a sacrificial animal, then shave his hair or cut it - and shaving it is better - then perform the *Tawaf* last. This is as the Messenger ﷺ did when he stoned the pillar on the day of *'Eid*, then sacrificed his animal, then shaved his head, then applied perfume, then rode to the House (the *Ka'bah*) and performed *Tawaf*. However, if a person does some things before others, like slaughtering before stoning, or shaving the head before slaughtering, or shaving the head before stoning, or performing *Tawaf* before stoning, or performing *Tawaf* before slaughtering, or performing *Tawaf* before shaving the head, all of that is sufficient. And all praise is due to Allâh, because the Messenger ﷺ was asked about doing some things first and delaying other things till last and he said:

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[1] Al-Bukhari no. 1722 and Muslim no. 1306.

«لَا حَرَجَ لَا حَرَجَ»

"No problem, no problem."[1]

Ash-Shaykh Ibn Baz

The ruling on delaying *Tawaful-Ifadhah*

Q Is it permissible to delay *Tawaful-Ifadhah* (and perform it along) with *Tawaful-Wada'* (the Farewell *Tawaf*)? Is it allowed for the *Hajj* pilgrim to break between the seven circuits by drinking water or something else?

A It is permissible to delay *Tawaful-Ifadhah* due to fear of crowding and other similar things. So, if the person performs it when he leaves and he intends it to be for *Al-Ifadhah* and *Al-Wada'*, that is sufficient for both of them. Then he leaves after it, as he has fulfilled the condition of his last act to be at the House (the *Ka'bah*). However, it is better that the *Tawaful-Ifadhah* be on the day of the *'Eid* or during the days of *At-Tashreeq*. Yet, the person may delay it past that.

In reference to breaking between the circuits of *Tawaf*, that is permissible if it is for a short period, like renewing the *Wudhu'* and drinking some water and praying the obligatory prayer or praying the funeral prayer (*Salatul-Janazah*) and so forth.

In reference to a long break, like half an hour or more, the correct view is that it nullifies what one did (of circuits), and he must start the *Tawaf* over from the beginning after the break. The same is said regarding the *Sa'y* between *As-Safa* and *Al-Marwah*. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

[1] Al-Bukhari no. 1721 and Muslim no. 1306.

Tawaful-Ifadhah suffices for *Tawaful-Wada'*

Q What is the ruling on whoever delays *Tawaful-Ifadhah* until *Tawaful-Wada'*, making them one *Tawaf* with the intention of *Tawaful-Ifadhah* and *Tawaful-Wada'* together? Also, is it permissible to perform *Tawaful-Ifadhah* at night?

A There is no problem with that if the person performs *Tawaf* when he's ready to travel after performing the actions of *Hajj*. Verily his *Tawaful-Ifadhah* suffices him for *Tawaful-Wada'*, regardless of whether he intends *Tawaful-Wada'* with *Tawaful-Ifadhah* or he does not intend it. What is intended is that *Tawaful-Ifadhah* alone suffices for *Tawaful-Wada'* if it is performed when leaving (Makkah). If the person intends them both together, there is no problem with that.

Also, it is permissible to perform *Tawaful-Ifadhah* and *Tawaful-Wada'* at night or during the day.

Ash-Shaykh Ibn Baz

What is obligatory after *Tawaful-Wada'*

Q What is obligatory on the *Hajj* pilgrim after *Tawaful-Wada'*?

A *Tawaful-Wada'* is the last of the acts of *Hajj*. After it the *Hajj* pilgrim must try to stand at the place known as *Al-Multazam* (between the Black Stone and the door of the *Ka'bah*) and supplicate with whatever is easy, and ask his Lord to allow him to return to the House, and that this not be his last time at it. Then he leaves in a normal fashion. It is not legislated for him to walk backwards (i.e., while facing the *Ka'bah*). Rather, he should walk while placing the House behind him as he usually walks. Then, he travels after that. If he stays a long time, like half a day, without a necessary reason, he must repeat the *Tawaful-Wada'*. If he does business, meaning buying and selling or doing some work that alludes to his desire to stay, he must

repeat the *Tawaful-Wada'*. However, if he buys something for his trip or for some need of his family, he is not required to repeat the *Tawaf*. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

He was not able to leave after performing *Tawaful-Wada'*

A man performed *Hajj* and he made *Tawaful-Wada'* at night, but he was not able to leave from Makkah after the *Tawaf*. Therefore, he spent the night in Makkah until morning, then he traveled. So, what is the ruling?

What is legislated is that the *Hajj* pilgrim's *Tawaful-Wada'* be when he is ready to depart from Makkah. This is due to the *Hadith* of Ibn 'Abbas ﷺ that is agreed upon: "The people were commanded to make their last act at the House (the Ka'bah), but the matter was lightened for the menstruating woman."

As long as he performed the *Tawaf* with the intention to leave at night and he was not able to leave until morning, nothing is due on him for that, if Allâh wills. However, if he had repeated the *Tawaf* before leaving, that would have been safer.

The Permanent Committee

The ruling on delaying *Tawaful-Wada'* because of the Crowd

We are residents of Jeddah and last year we came for *Hajj*. We completed all of the *Hajj* rites except for *Tawaful-Wada'*, which we delayed until the end of the month of Thul-Hijjah. Then, after the crowd lessened we returned (to Makkah to perform the *Tawaful-Wada'*). Is our *Hajj* correct?

If the person performs *Hajj* and delays the *Tawaful-Wada'* until another time, his *Hajj* is correct and he must perform

Tawaful-Wada' when he leaves Makkah. If he is outside of Makkah, like the people of Jeddah and the people of At-Ta'if and Al-Madinah and others similar to them, he may not leave until he bids farewell to the House. This is by him performing a *Tawaf* of seven circuits only around the *Ka'bah*. There is no *Sa'y* in it, because the *Tawaful-Wada'* does not contain a *Sa'y*, rather it is only a *Tawaf*.

So, if he leaves and does not perform farewell of the House, he must slaughter an animal according to the majority of the people of knowledge. It should be slaughtered in Makkah and be distributed among the poor and needy people of Makkah. His *Hajj* is correct, as we have mentioned before. This is the position that is held by the majority of the people of knowledge.

This means that the *Tawaful-Wada'* is an obligatory rite according to the most correct view among the opinions of the people of knowledge. Indeed it has been confirmed from Ibn 'Abbas ﷺ that he said, "Whoever leaves off a rite or forgets it, then let him shed blood (i.e., sacrifice an animal)." And this (*Tawaful-Wada'*) is a rite that the person left off intentionally. Therefore, he must shed blood by sacrificing an animal in Makkah for the poor and needy people. The fact that he returned after that (to perform it) does not remove this obligation (of a sacrifice) from him. This is the preferred position and it is the most correct position with me. And Allâh knows best.

Ash-Shaykh Ibn Baz

The menstruating Women and the Women with postnatal bleeding are not required to perform *Tawaful-Wada'*

Q Are the menstruating women, the women with post-natal bleeding, the person who is unable and the sick person all required to perform *Tawaful-Wada'*? This is while knowing that when this happened in Mina, I asked about it,

but the scholars did not agree. Some of them said that they are not required to perform *Tawaful-Wada'* and some of them said that they are required to perform *Tawaful-Wada'*.

The menstruating woman and the woman with postnatal bleeding are not required to perform *Tawaful-Wada'*. However, concerning the person who is unable, *Tawaf* is to be made while carrying him, and likewise, the sick person. This is due to the Prophet's statement:

«لَا يَنْفِرَنَّ أَحَدٌ مِنْكُمْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"No one should leave until his last act is at the House (the Ka'bah)."[1]

This is also due to what is confirmed in the two *Sahihs* from Ibn 'Abbas ﷺ that he said: "The people were commanded to make their last act at the House (the *Ka'bah*), but the matter was lightened for the menstruating woman." The proof has come in another report which shows that the woman with postnatal bleeding is similar to the woman in menses, in that it is not obligatory for her to perform *Tawaful-Wada'*.

The Permanent Committee

The ruling concerning someone who left out one Circuit from the *Tawaful-Wada' due to inability*

I performed *Hajj* along with a group. We completed the *Hajj* — praise be to Allâh — except that in the end of the sixth circuit of the *Tawaful-Wada'* my wife lost consciousness and I was compelled to carry her outside of the *Haram*. She, her brother and I, were unable to complete the seventh circuit. Am I required to do anything?

If you all did not repeat the *Tawaful-Wada'*, then each of you is required to make a sacrifice, to be slaughtered in

[1] Muslim no. 1327 and Ahmad no. 1/222.

Makkah for the poor people of the *Haram*. This is because *Tawaful-Wada'* is obligatory upon every *Hajj* pilgrim who wants to go outside of Makkah. Leaving it undone requires a sacrifice. The required sacrifice is the seventh part of a camel or a cow, or a two-year-old goat, or a year-old sheep. Each of these animals must be free of defects just like what is required for the sacrifice of *Adha*. Additionally, you are required to repent and seek Allâh's forgiveness, since it is not permissible to leave out the *Tawaful-Wada'*. This is due to the statement of the Prophet ﷺ reported by Muslim in his *Sahih* (authentic collection):

"No one should leave until he make his last act at the House (the Ka'bah)."

Also, the statement of Ibn Abbas ﷺ: "The people were commanded to make their last act at the House (the *Ka'bah*), but the matter was lightened for the menstruating woman." This is agreed upon. The woman with postnatal bleeding has the same ruling as the menstruating woman according to the people of knowledge.

Ash-Shaykh Ibn Baz

The ruling on whoever leaves off *Tawaful-Wada'* among the *Hajj* Pilgrims

Q What is the ruling on whoever leaves off *Tawaful-Wada'* among the *Hajj* pilgrims?

A It has been authenticated from the Messenger of Allâh ﷺ that he said:

«لَا يَنْفِرَنَّ أَحَدٌ مِنْكُمْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"No one should leave until his last act is at the House (the Ka'bah)."[1]

This was recorded by Muslim in his *Sahih* from a *Hadith* of Ibn

[1] Muslim no. 1327 and Ahmad no. 1/222.

'Abbas ﷺ. Both the two Shaykhs (Al-Bukhari and Muslim) also recorded it from Ibn 'Abbas ﷺ with him saying: "The people were commanded to make their last act at the House (the *Ka'bah*), but the matter was lightened for the menstruating woman." Indeed the Prophet ﷺ performed *Tawaful-Wada'* at the House when he finished his acts during the Farewell *Hajj* and he wanted to travel. And he said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

All of these *Hadiths* prove the obligation of *Tawaful-Wada'*, except for the menstruating woman and the woman with postnatal bleeding. So, whoever leaves it off among the *Hajj* pilgrims, he must slaughter an animal as he has opposed the Sunnah and left off an obligatory rite. This is the correct view from the opinions of the scholars. Indeed it has been authenticated from Ibn 'Abbas ﷺ that he said: "Whoever leaves off a rite or forgets it, then he must shed blood (i.e., slaughter an animal)." This is the view of most of the scholars. In reference to the menstruating woman and the woman with postnatal bleeding, they are not obligated to perform *Tawaful-Wada'*. This is due to the mentioned *Hadith* of Ibn 'Abbas ﷺ and that which has been reported with its same meaning.

Ash-Shaykh Ibn Baz

Tawaful-Wada' is an Obligation from the Obligations of *Hajj*

Q I am a resident of Jeddah and I performed *Hajj* seven times, but I did not perform *Tawaful-Wada'* because some people said that the residents of Jeddah do not have to perform *Tawaful-Wada'*. Is my *Hajj* correct or not? Please benefit me with an answer, and may Allâh reward you with good.

[1] Muslim no. 1297.

What is obligatory upon the residents of Jeddah and those similar to them is that they do not leave from *Hajj* until after they have performed *Tawaful-Wada'*. This is like the people of At-Ta'if and others similar to them.

This is due to the generality of the Prophet's statement when he addressed the *Hajj* pilgrims:

«لَا يَنْفِرَنَّ أَحَدٌ مِنْكُمْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"No one should leave until his last act is at the House (the Ka'bah)."[1]

This was recorded by Muslim in his *Sahih*. It is also recorded in the two *Sahihs* from a *Hadith* of Ibn 'Abbas ﷺ that he said: "The people were commanded to make their last act at the House (the *Ka'bah*), but the matter was lightened for the menstruating woman." Whoever leaves this off must slaughter an animal, which is a seventh of a camel or a seventh of a cow or a single sheep, which is a two-year-old goat or a year-old sheep. It is to be slaughtered in Makkah and distributed among the poor people of the *Haram*.

Along with this the person must make repentance and seek forgiveness from Allâh. He must make sincere intentions not to repeat this act again. In reference to the menstruating woman and the woman with postnatal bleeding, they are not obligated to perform *Tawaful-Wada'*. Likewise is the case for the person performing *'Umrah*. He is not obligated to perform *Tawaful-Wada'* according to the most correct view of the scholars, and this is the view of the majority of the people of knowledge. Ibn 'Abdul-Barr mentioned that there is a consensus about this due to the many evidences for it. Among them is the fact that the Prophet ﷺ did not command those who removed their *Ihram* after their *'Umrah* to perform *Tawaful-Wada'* when they left Makkah during his Farewell *Hajj*. Also from these evidences is that he commanded those people who had removed their *Ihram*

[1] Muslim no. 1327 and Ahmad no. 1/222.

in Makkah during the Farewell *Hajj* to leave from their places to Mina and then to 'Arafat, and he did not order them to perform *Tawaful-Wada'*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on the *Hajj* Pilgrim traveling to Jeddah before performing *Tawaful-Wada'*

Q Is it permissible for the *Hajj* pilgrim to travel to Jeddah without performing *Tawaful-Wada'*, and what is due on the person who does that?

A It is not permissible for the *Hajj* pilgrim to leave from Makkah after *Hajj* until after he has performed *Tawaful-Wada'*. This is due to the statement of the Prophet ﷺ:

«لَا يَنْفِرَنَّ أَحَدٌ مِنْكُمْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"No one should leave until his last act is at the House (the Ka'bah)."[1]

This was recorded by Muslim.

It is recorded in the two *Sahihs* from a *Hadith* of Ibn 'Abbas ﷺ that he said: "The people were commanded to make their last act at the House (the *Ka'bah*), but the matter was lightened for the menstruating woman." Therefore, it is not permissible for the people of Jeddah or the people of At-Ta'if or others beside them to leave Makkah after *Hajj* until after they have performed *Tawaful-Wada'*. So, whoever travels before performing *Tawaful-Wada'*, he must slaughter an animal, because he has left off an obligatory act.

Some of the people of knowledge have said that if he returns with the intention of performing *Tawaful-Wada'*, that is sufficient for him and he does not have to slaughter an animal. However, this view is doubtful and it is safer for the believer, as

[1] Muslim no. 1327 and Ahmad no. 1/222

long as he has traveled a considerable distance and he has not made *Tawaful-Wada'*, for him to slaughter an animal to make his Hajj complete.

Ash-Shaykh Ibn Baz

The ruling on *Tawaful-Wada'* for the *'Umrah* Pilgrim and the ruling on buying something after *Tawaful-Wada'*

Is *Tawaful-Wada'* obligatory for *'Umrah* and is it permissible to buy something from Makkah after *Tawaful-Wada'*, regardless of whether it was for a *Hajj* or an *'Umrah*?

Tawaful-Wada' is not obligatory for *'Umrah*, but doing it is better. So, if the person (performing *'Umrah*) leaves and does not perform *Tawaful-Wada'* there is no problem with that. However, concerning *Hajj*, it is obligatory due to the Prophet's statement:

«لَا يَنْفِرَنَّ أَحَدٌ مِنْكُمْ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"No one should leave until his last act is at the House (the Ka'bah)."

This was an address to the *Hajj* pilgrims.

He may buy whatever he needs after the *Tawaful-Wada'* from all the kinds of items of necessity, even if he buys something for business, as long as the period of time is short and not long. However, if the period of time becomes long, he must repeat the *Tawaf*. So, if the time is not what is customarily considered long, he does not have to repeat it at all.

Ash-Shaykh Ibn Baz

Performing *Tawaf* for the Parents and Relatives

Is it permissible for the man to perform *Tawaf* on behalf of his parents or one of his deceased relatives?

A There is no harm with a man performing *Hajj* on behalf of one of his parents and performing *'Umrah* for him or for his relative. Likewise, there is no harm, if Allâh wills, in him performing *Tawaf* for him, making seven circuits while intending that its reward be for one of his parents or one of his relatives.

Ash-Shaykh Ibn Jibreen

The *Tawaf* or the Voluntary Prayer

Q Is it better to perform *Tawaf* repeatedly or voluntary prayers?

A In reference to which is better between them there is a difference of opinion, however, it is better to combine between the two matters. Thus, he should increase his prayers and performances of *Tawaf* so that he can combine both forms of good. Some of the scholars preferred the performance of *Tawaf* for those who are strangers (i.e., not residents of Makkah), because they do not have the *Ka'bah* in their lands. Therefore, it is recommended that they increase in the amount of *Tawaf* that they perform as long as they remain in Makkah. Some people preferred the prayer because it is better (in Makkah). I think that the best view between them is that the person increase in this and increase in that, even if he is a stranger (to Makkah), so that he does not miss the virtue of either one of them.

Ash-Shaykh Ibn Baz

The ruling on dedicating the Reward of Deeds, like *Tawaf* and other Deeds, to the deceased Muslims

Q A woman asks a question saying: "When I was in Makkah Al-Mukarramah and I got the news that a female relative of mine had died, I performed *Tawaf* for her, making seven circuits around the *Ka'bah*, and I intended it for her. Is that permissible?"

Yes, it is permissible for you to perform *Tawaf*, making seven circuits and making their reward for whomever you wish among the Muslims. This is the popular view from the *Mathhab* of Imam Ahmad - that any act of drawing near to Allâh (i.e., worship) that the Muslim does and he makes its reward for a deceased or living Muslim, that will benefit the person. It makes no difference whether this act of worship is a purely physical act, like the prayer and *Tawaf*, or purely an act of spending wealth, like charity, or a combination between the two, like sacrificing an animal.

However, it is important to know that what is best for the person is that he makes the righteous deeds for himself and that he singles out whomever he wishes among the Muslims for supplicating for him. This is because this is what the Prophet ﷺ gave direction to do in his statement:

«إِذَا مَاتَ الإِنْسَانُ انْقَطَعَ عَنْهُ عَمَلُهُ إِلَّا مِنْ ثَلَاثَةٍ: إِلَّا مِنْ صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

"When the person dies his deeds are cut off except for three: perpetual charity or knowledge by which benefit is gained or a righteous child who supplicates for him."[1]

Ash-Shaykh Ibn 'Uthaimin

The ruling on paying Bribery Money to kiss the Black Stone

A man came with his mother so that she could kiss the Black Stone and they were both performing *Hajj*. However, he was not able to do so due to the great number of people. Therefore, he gave the soldier who was at the Black Stone ten riyals and the soldier pushed the people back from the Stone for this man and his mother. Thus, they both kissed the Stone. Is this permissible or not? Does he have a

[1] Muslim no. 1631.

Hajj or not?

If the matter is like what was mentioned, this amount that the man paid to the soldier is bribery and it is not permissible for him to pay it. Kissing the Black Stone is Sunnah and it is not from the pillars of *Hajj*, nor is it from its obligations. So, whoever is able to touch it and kiss it without harming anyone, it is recommended for him to do so. If he is not able to touch it and kiss it, he touches it with a stick and kisses it (the stick). If he is not able to touch it with his hand or with a stick, he waves at it when he passes it and he says '*Allâhu Akbar*' (Allâh is the Most Great). This is the Sunnah.

In reference to paying bribery money for this, that is not permissible - not for the person performing *Tawaf*, nor for the soldier. They must both make repentance to Allâh from that. And success is from Allâh. May Allâh send prayers of blessing and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The Description of the *Sa'y*, where it begins and the Number of its Circuits

What is the description of the *Sa'y*, from what place does the person performing *Sa'y* begin and what is the number of its circuits?

It begins from *As-Safa* and it ends at *Al-Marwah*, and the number of circuits are seven. The first of it starts at As-Safa and the last of it ends at Al-Marwah. The person remembers Allâh during it, glorifies Him and makes supplications. He repeats words of remembering Allâh, supplications and magnifying Allâh's Greatness on (the hills of) As-Safa and Al-Marwah, repeating them three times while raising his hands and facing the *Qiblah*. This is due to the Prophet ﷺ doing that.

Ash-Shaykh Ibn Baz

What does the Person who performs *Sa'y* say at the beginning of his *Sa'y*

Q At the beginning of every circuit of the *Sa'y* is it permissible for me to say: "In the Name of Allâh. We begin with what Allâh and His Messenger began with. Verily, *As-Safa* and *Al-Marwah* are from the symbols of Allâh." Or is this something that is an innovation (*Bid'ah*)?

A What is legislated is that the person says at the beginning of the first circuit of the *Sa'y*: "Verily, *As-Safa* and *Al-Marwah* are from the symbols of Allâh," as the Prophet ﷺ did that. In reference to repeating that, we do not know of anything that proves its recommendation. It is also legislated for the person performing the *Sa'y* to make much remembrance of Allâh, supplication, glorification, praise, declaration of His being the only true God, magnification of His Greatness and seeking His forgiveness. The same applies to the *Tawaf*. This is due to the Prophet's statement:

«إِنَّمَا جُعِلَ الطَّوَافُ بِالْبَيتِ وَالسَّعِي بَيْنَ الصَّفَا وَالْمَرْوَةِ وَرَمْيُ الْجِمَارِ لِإِقَامَةِ ذِكْرِ اللهِ»

"Verily, the Tawaf around the House, and the Sa'y between As-Safa and Al-Marwah, and the stoning of the pillars were only made to establish the remembrance of Allâh."[1]

This was recorded by Ahmad and Abu Dawud with a good chain of narration.

Ash-Shaykh Ibn Baz

They performed five Circuits of *Sa'y* and then they went to their Accommodations

Q A group made *Sa'y* between *As-Safa* and *Al-Marwah* and they performed five circuits. Then they left the area of

[1] Abu Dawud no. 1888 and Ahmad 6/64, 75.

Sa'y and they did not remember to do the remaining two circuits until after they had left to their accommodations. So, what is the ruling?

These people who performed five circuits of *Sa'y* then went to their places of stay, and they did not remember the last two circuits, they must return to complete the two circuits, and there is no problem with that. This is what is correct, because continuation without a break between the circuits of *Sa'y* is not a condition according to the correct view. If they repeat it from its beginning, there is no harm in that. However, the correct view is that it suffices them to perform the two circuits and complete the *Sa'y*. This is the most correct view among the two opinions of the scholars concerning this.

Ash-Shaykh Ibn Baz

The ruling on performing *Sa'y* before *Tawaf*

Is it permissible to perform *Sa'y* before *Tawaf*, regardless of whether it is during *Hajj* or *'Umrah*?

The Sunnah is that the *Tawaf* be performed first, then the *Sa'y* after it. If a person performs *Sa'y* before *Tawaf* due to ignorance on his part, there is no problem with that. Indeed it has been confirmed from the Prophet ﷺ that a man said to him, "I performed *Sa'y* before *Tawaf*." So the Prophet ﷺ said,

«لَا حَرَجَ»

"No problem."[1]

This proves that if the person performed *Sa'y* first, that suffices him. However, the Sunnah is that he performs *Tawaf* and then *Sa'y*. This is the Sunnah for both *'Umrah* and *Hajj*.

Ash-Shaykh Ibn Baz

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[1] Abu Dawud no. 2015.

The ruling on performing the *Sa'y* of *Hajj* before *Tawaful-Ifadhah*

Is it permissible for the *Hajj* pilgrim to perform the *Sa'y* of *Hajj* before *Tawaful-Ifadhah*?

If the *Hajj* pilgrim is performing *Hajjul-Ifrad* and *Hajjul-Qiran*, it is permissible to perform *Sa'y* before *Tawaful-Ifadhah*, thus performing it after *Tawaful-Qudum* (the *Tawaf* of Arrival), as the Prophet ﷺ and his Companions who brought the sacrificial animals did.

If the person is performing *Hajjut-Tamattu'*, he must perform two *Sa'ys*. The first upon his arrival to Makkah and it is for *'Umrah*, and the second during *Hajj*. It is better that he performs it after *Tawaful-Ifadhah*, because *Sa'y* follows *Tawaf*. If he performs it before *Tawaf*, there is no problem with that, according to the most correct opinion. This is because the Prophet ﷺ was asked, and it was said to him: "I performed *Sa'y* before I made *Tawaf*." He ﷺ replied:

«لَا حَرَجَ»

"No problem."

Thus, the *Hajj* pilgrim does five ritual acts in order on the day of *'Eid*: he stones the pillar of *Al-'Aqabah*, then he sacrifices an animal, then he shaves his hair or cuts it, then he makes *Tawaf* of the House, then he makes *Sa'y* between *As-Safa* and *Al-Marwah*. However, if he is performing *Hajjul-Qiran* or *Hajjut-Tamattu'*, he performs *Sa'y* after *Tawaful-Qudum*. It is better that he do the acts in the order that we have mentioned, and if he does some of them before others (in a different sequence), especially if there is a need to do so, there is no problem with that. This is from the Mercy of Allâh, the Most High, and His ease. So, all praise is due to Allâh, the Lord of all that exists.

Ash-Shaykh Ibn 'Uthaimin

Performing *Sa'y* before *Tawaf* is permissible on the Day of the *'Eid* and at other times

Q A man heard that it is permissible to perform *Sa'y* before *Tawaf*, so he performed *Sa'y* and then *Tawaf* on the 12th or 13th day. Then, it was said to him that this is specifically (i.e., only) for the day of the *'Eid*. So, what is the ruling?

A The correct view is that there is no difference between the day of the *'Eid* and other days regarding the permissibility of performing *Sa'y* before *Tawaf*. Even if that is done after the day of the *'Eid*. This is due to the generality of the *Hadith* when a man said to the Prophet ﷺ: "I performed *Sa'y* before I made *Tawaf*." The Prophet ﷺ said:

«لَا حَرَجَ»

"No problem."

Therefore, since this *Hadith* is general, there is no difference between the person doing that on the day of the *'Eid* or after it.

Ash-Shaykh Ibn 'Uthaimin

He performed *Sa'y* during *Hajj* before the *Tawaf*

Q A man performing *'Umrah* did not know, so he performed *Sa'y* before the *Tawaf*. After repeating the *Tawaf* does he have to perform the *Sa'y* a second time?

A He does not have to repeat the *Sa'y* due to what Abu Dawud recorded in his *Sunan* with an authentic chain of narration to Usamah bin Shurayk who said: "I went out with the Prophet ﷺ performing *Hajj* and the people were coming to him. Then a man came saying: 'O Messenger of Allâh, I performed *Sa'y* before I made *Tawaf*,' or he said: 'I did something first and something later.' So, the Prophet ﷺ was saying:

«لَا حَرَجَ إِلَّا عَلَى رَجُلٍ اقْتَرَضَ عِرْضَ رَجُلٍ مُسْلِمٍ وَهُوَ ظَالِمٌ فَذَلِكَ الَّذِي حَرِجَ وَهَلَكَ»

'No problem, except for a man who defames the honor of a Muslim man and he is acting wrongfully. That is the one who is in trouble and he is destroyed.'"[1]

The Permanent Committee

The ruling on whoever performed *Tawaf* and he did not perform *Sa'y*

Q If someone who had to perform *Sa'y* made *Tawaf* and then left without performing *Sa'y*, and then he was informed after five days that he had to perform a *Sa'y*, is it permissible for him to perform *Sa'y* only without performing *Tawaf* before it?

A If the person performs *Tawaf* while believing that he does not have to perform *Sa'y*, then after that he is informed that he must perform a *Sa'y*, he only has to perform the *Sa'y*. There is no need for him to repeat the *Tawaf*. This is because continuation without a break is not a condition between *Tawaf* and *Sa'y*. Even if it is given that the man left that off intentionally, meaning he delayed the *Sa'y* after the *Tawaf* intentionally, there is no sin on him. However, it is better that the *Sa'y* be done directly after the *Tawaf*.

Ash-Shaykh Ibn 'Uthaimin

He began with *Al-Marwah* and he cut his Hair at *As-Safa*

Q I am a very old man and I performed *Tawaf* for *'Umrah*, and then I performed *Sa'y* making seven trips. However,

[1] Abu Dawud no. 2015.

I began from *Al-Marwah* and I cut my hair at *As-Safa* and put on seamed garments. So, what is the ruling on that?

This person must perform another circuit, because he left out a circuit, unless he performed *Sa'y* making eight trips (i.e., not counting the first trip from Al-Marwah), in which case there is no problem. Thus, the first circuit is an extra one that does not harm him. The intent is that if he began with *Al-Marwah* and finished at *As-Safa*, making eight circuits (starting his counting from *As-Safa*), then out of these there are seven complete circuits for him. However, if it was only seven circuits, then he has missed a circuit and he must complete it and repeat the cutting of his hair so that he can complete his *'Umrah*. The first cutting of his hair was not sufficient for him, because he cut his hair before he completed the *Sa'y* and the first circuit that he began from *Al-Marwah* does not count.

Ash-Shaykh Ibn Baz

Shaving the Head and Cutting the Hair Short

Shaving the Head is better than cutting the Hair short

Which is better, shaving the head or cutting the hair short after performing the rites of *'Umrah* or *Hajj*? And does it suffice to cut some of the hair of the head?

It is better to shave the head for *'Umrah* and *Hajj* both, because the Messenger ﷺ supplicated three times for forgiveness and mercy for those who shave their heads, and he supplicated once for those who cut their hair. Therefore, shaving the head is better. But if the *'Umrah* is close to *Hajj*, it is better to cut the hair short for the *'Umrah* so that there will be hair to shave for *Hajj*. This is because the *Hajj* is more perfect than the *'Umrah*, thus this (shaving) will be more perfect for that which is more perfect (*Hajj*). However, if the *'Umrah* is far from the *Hajj*, for example, during Shawwal, and the hair of the head will grow

back long (before *Hajj*), then the person shaves his head so that he can acquire the virtue of shaving the head. Cutting the hair of part of the head is not sufficient, nor is shaving part of the head, according to the most correct opinion from the views of the scholars. Rather, it is obligatory to shave all of the head or cut all of it (evenly). Also, it is better to start with cutting the right side in shaving the head and cutting the hair.

Ash-Shaykh Ibn Baz

How to cut the Hair short

Q We saw during *Hajj* that some of the people, when they cut their hair for *Hajj* or *'Umrah*, they cut it from the lower part of the head only in the shape of a circle. They go around the lower part of it on all sides. However, concerning the rest of the hair, they do not remove anything from it (i.e., what is known as a 'bowl cut' in the West). Then, when we said to them that cutting the hair has to be over all of the head, they said to us: "This is what is required." So, which action is obligatory?

A What is obligatory is to cut all of the hair of the head, whether by shaving it or cutting it shorter, for *Hajj* or *'Umrah*. It is not required to cut something from each and every hair individually. What the person did whom you mentioned is not sufficient according to the most correct view from the opinions of the scholars, nor is it from the Sunnah of Muhammad bin 'Abdullah ﷺ.

The Permanent Committee

If the *Hajj* Pilgrim cuts his Hair and he does not cut the Hair evenly all over, what is the ruling?

Q If the *Hajj* pilgrim or *'Umrah* pilgrim cuts his hair on both the sides of his head (only) and then he removes his *Ihram* without cutting his hair evenly all over the head,

what is the ruling?

If he is on *Hajj* and he has performed the *Tawaf* and stoned the pillar, the ruling is that he should remain in his (normal) garments and complete the shaving of his head or cutting his hair. If he is performing *'Umrah*, he must remove his (normal) garments and put back on his *Ihram* garments. Then, he must shave his head or shorten it completely, cutting all sides of the head while he is in *Ihram*, meaning wearing *Ihram* garments.

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever leaves off shaving the Head or cutting the Hair due to Ignorance

A *Hajj* pilgrim came performing *Hajjut-Tamattu'*. So, when he had performed *Tawaf* and *Sa'y*, he put on his normal clothing and he did not cut or shave his hair. Then, he asked and was informed after *Hajj* that he had made a mistake. So, what should he do, since the *Hajj* came after the time of the *'Umrah*?

This man is considered as having left off an obligatory act from the obligations of *'Umrah*, which is shaving the head or cutting the hair. According to the people of knowledge he must slaughter an animal as a ransom (for atonement) in Makkah and distribute it among the poor people of Makkah. However, he still remains upon his performance of *At-Tamattu'* (i.e., it still counts).

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever forgot to shave his Head or cut his Hair

What is the ruling on whoever forgot to shave his head or cut it for *'Umrah*, and he wore seamed garments and

then remembered that he did not cut his hair or shave his head?

Whoever forgot to shave his head or cut his hair for *'Umrah*, and he already performed *Tawaf* and *Sa'y*, and then he wore (normal) clothes before shaving his head or cutting his hair, he must remove his (normal) clothes when he remembers. Then he must shave his head or cut his hair, and then put back on his (normal) clothes. If he cut his hair or shaved his head while wearing his (normal) clothing, due to ignorance or forgetfulness on his part, there is no sin on him and that suffices him. There is no need for him to repeat cutting his hair or shaving his head. However, whenever he becomes aware (of what he should be doing), then it is obligatory on him to remove the normal clothes so that he can shave his head or cut his hair while he is in *Ihram*.

The Permanent Committee

She did not cut her Hair due to forgetfulness

A woman performed *Hajj* and she did all of the acts of *Hajj*, except that she did not cut her hair until now, due to ignorance or forgetfulness. She reached her homeland and she did all of the things that are prohibited for the person in *Ihram*. Thus, she asks what is required of her and what is the result of this?

If the matter is as the questioner mentioned, in that she did everything but cutting her hair due to forgetfulness or ignorance on her part, then she must cut the hair of her head in her homeland and there is nothing due on her. This is because she delayed it due to her ignorance or forgetfulness, while she had the intention of completing the *Hajj*. We ask Allâh to grant success to everyone and acceptance. Since it was mentioned in the question that her husband had sex with her before cutting her hair, she must slaughter a sheep or a seventh of a camel that is suitable for sacrifice. It is to be slaughtered in Makkah for the

poor people of the *Haram*, unless the sex took place after her leaving the *Haram* when she was in her homeland or some other place. In that case, she slaughters the animal in her homeland and divides it up for distribution among the poor people there.

The Permanent Committee

Shaving the head is from the prohibited things of *Ihram*, so how can one begin with it in removing the *Ihram*?

It is known that shaving the head is from the prohibited things of *Ihram*, so how can it be permissible to begin with it when removing the *Ihram* on the day of the *'Eid*? Because the scholars say that removal of *Ihram* is by doing two of three things, and they mention shaving the head among these things. So, based on this, is it permissible for the *Hajj* pilgrim to begin with it?

Yes, it is permissible to begin with it, because shaving the head is during the process of coming out of *Ihram* for the *Hajj* rites. Therefore, it is not forbidden. Rather, it is a ritual that has been commanded. Since it has been commanded, doing it is not considered a sin or falling into something forbidden. Indeed it has been confirmed from the Prophet ﷺ that he was asked about shaving the head before slaughtering the animal and before stoning the pillar, and he said:

«لَا حَرَجَ»

"No problem."

The thing being commanded or prohibited only comes from the Islamic law. Don't you see that prostrating to other than Allâh, the Most High, is an act of *Shirk*? However, when Allâh commanded the angels to prostrate to Adam, their prostrating to him was an act of obedience (to Allâh). Also, don't you see that killing someone, especially children, is from the tremen-

dous major sins? However, when Allâh, the Most High, commanded His Prophet Ibrahim to kill his son, Isma'il, that was an act of obedience by which Ibrahim attained tremendous status. But Allâh lightened the matter for him and his son by His Mercy, and He said:

﴿فَلَمَّآ أَسْلَمَا وَتَلَّهُۥ لِلْجَبِينِ ﴿١٠٣﴾ وَنَٰدَيْنَٰهُ أَن يَٰٓإِبْرَٰهِيمُ ﴿١٠٤﴾ قَدْ صَدَّقْتَ ٱلرُّءْيَآ ۚ إِنَّا كَذَٰلِكَ نَجْزِى ٱلْمُحْسِنِينَ ﴿١٠٥﴾ إِنَّ هَٰذَا لَهُوَ ٱلْبَلَٰٓؤُا۟ ٱلْمُبِينُ ﴿١٠٦﴾﴾

"Then, when they had both submitted themselves (to the Will of Allâh), and he had laid him prostrate on his forehead (for slaughtering), We called out to him: 'O Ibrahim! You have fulfilled the dream!' Verily, thus do We reward the Muhsineen (good doers). Verily, that indeed was a manifest trial."[1]

Ash-Shaykh Ibn 'Uthaimin

The ruling on shaving the Head or cutting the Hair after the second stage of removing the *Ihram*

Q Is it obligatory to shave the head or cut the hair for the major removal of *Ihram* after shaving it or cutting the hair for the lesser removal of *Ihram*, which is after completing the stoning of the pillars?

A It is not obligatory nor is it recommended to shave the head or cut the hair after the major removal of *Ihram* after shaving the head or cutting its hair for the lesser removal of *Ihram*, which is after completing the stoning of the pillars. This is because it is a rite of *Hajj* and therefore, it is an act of worship. And acts of worship are based upon strict legislation from the texts. It is not confirmed from the Prophet ﷺ that he shaved his head or cut his hair after the major removal of *Ihram*. Rather he did that for the lesser removal of *Ihram* only. And it is confirmed from him that he said:

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[1] *As-Saffat* 37:103-106.

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

The Permanent Committee

The ruling on shaving the Head or cutting the Hair for *'Umrah*

Q What is the ruling on shaving the head or cutting the hair in reference to *'Umrah*?

A Shaving the head or cutting the hair in reference to *'Umrah* is obligatory. This is because when the Prophet ﷺ came to Makkah during the Farewell *Hajj*, and he performed *Tawaf* and *Sa'y*, he commanded everyone who had not brought a sacrificial animal to cut his hair and then shave his head (later for *Hajj*). Therefore, since he commanded them to cut their hair, and the basic principle regarding a command is that it is for obligation, this proves that the hair must be cut. What also alludes to this is that the Prophet ﷺ commanded them, when they were prevented (from *'Umrah*) during the expedition of Al-Hudaibiyyah, to shave their heads. This was such that the Prophet ﷺ became angry when they were hesitant in doing so. In reference to whether it is better to cut the hair or shave the head for *'Umrah*, it is better to shave the head except for the person performing *Hajjut-Tamattu'* and he has come to Makkah late. In that case, it is better for him to cut his hair so that he will have hair left for shaving his head for the *Hajj*.

Ash-Shaykh Ibn 'Uthaimin

[1] Muslim no. 1297 and Al-Bayhaqi 5/125.

Standing at 'Arafat

The time of coming to 'Arafat and leaving from it

When does the *Hajj* pilgrim set out to 'Arafat and when does he leave from it?

It is legislated to go to it after sunrise on the day of *'Arafah*, which is the 9th day (of Thul-Hijjah). The *Hajj* pilgrim prays the *Zuhr* and *'Asr* prayers combined and shortened in the early time (i.e., the time of *Az-Zuhr*) with one *Athan* and two *Iqamahs*, in following the Prophet ﷺ and his Companions ﷺ. He stays in it (the area of 'Arafat) until sunset, while busying himself with the remembrance of Allâh, supplications, recitation of the Qur'an and saying the *Talbiyyah* until the sun disappears. It is legislated to say often: "*La ilaha illallâhu wahdahu la sharika lahu, lahul-mulku wa lahul-hamdu, wa Huwa 'ala kulli shay'in Qadeer. Subhanallâhi, wal-hamdu lillâhi, wa la ilaha illallâhu, wa la hawla wa la quwwata illa billâh*" (There is none worthy of being worshiped but Allâh alone, Who has no partner. To Him belongs the sovereignty and to Him belongs all praise, and He has power over all things. Allâh is free from all imperfections, all praise is due to Allâh, and there is none worthy of being worshiped but Allâh. And there is no power or might except with Allâh). He raises his hands while supplicating and he praises Allâh and sends prayers of blessing upon the Prophet ﷺ before supplicating. He faces the direction of the *Qiblah* and all of 'Arafat is a place of standing. Then, when the sun disappears, it is legislated for the *Hajj* pilgrims to leave to Muzdalifah with calmness and dignity saying the *Talbiyyah* in abundance. Then, when they reach Muzdalifah, they offer the *Maghrib* and *'Isha'* prayers (combined) with one *Athan* and two *Iqamahs*, making the *Maghrib* prayer three *Rak'ahs* and the *'Isha'* prayer two *Rak'ahs*.

Ash-Shaykh Ibn Baz

He left from 'Arafat before Sunset

Q What is the ruling on someone who performed *Hajj* and he left from 'Arafat before sunset due to his work situations?

A Whoever leaves from 'Arafat before sunset, must offer a ransom (of atonement) according to most of the people of knowledge, unless he returns to it at night, in which case he is not required to offer a ransom. The ransom is the slaughtering of an animal that is to be distributed to the poor people of the *Haram*.

Ash-Shaykh Ibn Baz

Standing outside of 'Arafat

Q If the *Hajj* pilgrim stands outside of the boundaries of 'Arafat - but near to it - until the sun sets, then he leaves, what is the ruling on his *Hajj*?

A If the *Hajj* pilgrim does not stand at 'Arafat during the time of standing, he has no *Hajj*. This is due to the Prophet's statement:

«الْحَجُّ عَرَفَةُ، مَنْ أَدْرَكَ عَرَفَةَ (بِلَيْلٍ) قَبْلَ أَنْ يَطْلُعَ الْفَجْرُ فَقَدْ أَدْرَكَ الْحَجَّ»

"The Hajj is 'Arafah, so whoever catches 'Arafah at night before the Fajr time begins, then he has caught the Hajj."[1]

The time for standing is after midday on the day of *'Arafah* (the 9th of Thul-Hijjah) until the *Fajr* time begins on the night before the day of Sacrifice (the 10th of Thul-Hijjah). This is what there is a consensus for (i.e., *Ijma'*) among the people of knowledge.

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[1] An-Nasa'i no. 3019 and Al-Bayhaqi 5/173.

In reference to what is before midday, there is a difference of opinion among the people of knowledge. Most of them hold the view that standing at that time at 'Arafat is not sufficient if the person does not stand after midday or during the night. Whoever stands during the daytime after midday or during the night, that suffices him. It is better for him to stand during the daytime after the prayers of *Zuhr* and *'Asr* combined early (in the time of *Az-Zuhr*), until sunset. It is not permissible to leave before sunset for whoever stands during the daytime. If the person does so, he must slaughter an animal according to most of the people of knowledge, as he has left off an obligation, which is combining — in the standing — between the night and the day, for whoever stands during the daytime.

Ash-Shaykh Ibn Baz

Whoever misses standing at 'Arafat during the Daytime may he stand there during the Night?

A person took part in the acts of *Hajj* and he was not able to stand at 'Arafat in the daytime. So, is it permissible for him to stand at 'Arafat after the people have left during the night? How much time of standing would be sufficient for him? Would it suffice him to pass through 'Arafat with his car?

The time for standing at 'Arafat extends from the beginning of the *Fajr* time on the 9th day (of Thul-Hijjah) until the beginning of the *Fajr* time on the day of Sacrifice (the 10th day). If the *Hajj* pilgrim is not able to stand during the daytime on the 9th day, he may stand during the night after the people have left, and that suffices him, even if he only stood at 'Arafat during the end of the night just before morning (i.e., dawn). It suffices him even if it is only for several minutes. Likewise, if he passes through the area of 'Arafat while he is in his car, that suffices him. However, it is better for him to be present at the time when the people are standing, and participate with them in supplicating during the afternoon of the

day of *'Arafah*, and show humbleness and an attentive heart. He should hope for what they hope for of the descent of mercy and attainment of forgiveness. If he misses the daytime, he may stand at night. So, it is better for him to come early for the standing as much as he is able, and stay at 'Arafat, even if it is for a short time, stretching his hands out to his Lord and humbling himself to Him in asking. Then he should go with them (the people) to Muzdalifah and remain there until the end of the night so that he can complete his *Hajj*.

Ash-Shaykh Ibn Baz

The ruling on making Group Supplications at 'Arafat and other Places

Q What is the ruling on gathering for supplications on the day of *'Arafah*, whether it is at 'Arafat or other places? This is by a person among the *Hajj* pilgrims supplicating with a reported supplication that is mentioned in some of the books of supplications, and it is called 'Supplication of the day of *'Arafah*', or other than that. Then, the *Hajj* pilgrims repeat what this man says without saying *'Aameen'*. Is this supplication considered an innovation (*Bid'ah*) or not? We would like clarification concerning this along with mentioning the proof.

A What is best for the *Hajj* pilgrim on this great day is that he should exert effort in supplicating, and being humble to Allâh, and he should raise his hands. This is because the Messenger ﷺ exerted effort in supplicating and remembering Allâh on this day until sunset. This was after he offered the *Zuhr* and *Asr* prayers together and shortened in the valley of 'Uranah. Then he went to the area of standing and he stood there among the rocks and the mountain of supplication, which is called Jabalul-Aal, and he exerted effort in supplicating and remembering Allâh. He did this with his hands raised and facing the direction of the *Qiblah* while he was on his she-camel. Indeed

Allâh legislated for His servants that they supplicate with humility, in secret, showing humbleness to Allâh, with hope and fear. And this place is of the best places for making supplications. Allâh, the Most High, said:

﴿ٱدْعُوا۟ رَبَّكُمْ تَضَرُّعًا وَخُفْيَةً ۚ إِنَّهُۥ لَا يُحِبُّ ٱلْمُعْتَدِينَ ﴿٥٥﴾﴾

"Invoke your Lord with humility and in secret. Verily, He does not like the aggressors."[1]

And He, the Most High, said:

﴿وَٱذْكُر رَّبَّكَ فِى نَفْسِكَ﴾

"And remember your Lord within yourself."[2]

In the two *Sahihs*, it is recorded that Abu Musa Al-Ash'ari ﷺ said that the people raised their voices with supplication, so the Messenger of Allâh ﷺ said:

«أَيُّهَا النَّاسُ! ارْبَعُوا عَلَى أَنْفُسِكُمْ ، إِنَّكُمْ لَيْسَ تَدْعُونَ أَصَمَّ وَلَا غَائِبًا، إِنَّكُمْ تَدْعُونَهُ سَمِيعًا قَرِيبًا وَهُوَ مَعَكُمْ وَالَّذِي تَدْعُونَهُ أَقْرَبُ إِلَى أَحَدِكُمْ مِّنْ عُنُقِ رَاحِلَةِ أَحَدِكُمْ»

"O people, take it easy on yourselves, for verily, you are not calling on one who is deaf or absent. Verily, the One Whom you are invoking is All-Hearing, Most Near. He is closer to one of you than the neck of his riding animal."[3]

Indeed Allâh praised Zakariya ﷺ for this. He, the Most High, said:

﴿ذِكْرُ رَحْمَتِ رَبِّكَ عَبْدَهُۥ زَكَرِيَّآ ﴿٢﴾ إِذْ نَادَىٰ رَبَّهُۥ نِدَآءً خَفِيًّا ﴿٣﴾﴾

"(This is) a mention of the Mercy of Your Lord upon His servant, Zakariya, when he called upon his Lord, with a call done in secret."[4]

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[1] *Al-A'raf* 7:55.
[2] *Al-A'raf* 7:205.
[3] Al-Bukhari no. 2992 and Muslim no. 2704.
[4] *Maryam* 19:2-3.

Allâh also said:

﴿وَقَالَ رَبُّكُمُ ٱدْعُونِيٓ أَسْتَجِبْ لَكُمْ﴾

"And your Lord said: 'Invoke Me and I will answer you.'"[1]

The Verses and *Hadiths* that encourage the remembrance of Allâh and supplications are numerous. It is legislated at this place ('Arafat) in particular to make a lot of supplications and remembrance of Allâh with pure intentions, an attentive heart, and with hope and fear. It is also legislated to raise the voice with it or with saying the *Talbiyyah* as the Prophet ﷺ and his Companions ﷺ did that, as far as I know. However, if a person supplicates in a group and the people say *'Aameen'* to his supplication, there is no harm in that, just like what is done in the supplication of *Al-Qunut*, the supplication for completing the Noble Qur'an, the supplication for rain and similar supplications.

In reference to gathering on the day of *'Arafah* at a place other than 'Arafat, there is no basis for this from the Prophet ﷺ. Indeed the Prophet ﷺ said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

"Whoever does a deed that is not in accordance with our matter, then it is rejected."[2]

This was recorded by Muslim in his *Sahih*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

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[1] *Ghafir* 40:60.
[2] Muslim no. 1718.

Spending the Night at Muzdalifah

The ruling on standing (for Supplication) in Muzdalifah and when does the Time for leaving it begin

What is the ruling on standing in Muzdalifah (for supplications) and spending the night there, and what is the amount of time for it? Also, when does the *Hajj* pilgrim begin leaving from it?

Spending the night at Muzdalifah is *Wajib* (compulsory) according to the correct opinion. Some of the scholars have said that it is a pillar (of *Hajj*) and some have said that it is *Mustahab* (desirable). However, the correct view from the opinions of the people of knowledge is that it is *Wajib* (compulsory). Whoever leaves it off must slaughter an animal. The Sunnah is that the person does not leave from it until after the *Fajr* prayer and after the sky has begun to get bright before sunrise. He prays the *Fajr* prayer there and then when it begins to get light outside, he sets out to Mina while saying the *Talbiyyah*. The Sunnah is that he remembers Allâh after the prayer and he makes supplications. Then, when it becomes light outside, he sets out to Mina while saying the *Talbiyyah*.

It is permissible for the weak people among the women, men and elderly to depart from Muzdalifah during the last half of the night. The Prophet ﷺ gave them this permission. In reference to those who are strong, the Sunnah for them is that they remain until they pray the *Fajr* prayer and until they remember Allâh much after the prayer. Then, they leave before the sun rises. It is also Sunnah to raise the hands while supplicating at Muzdalifah and facing the *Qiblah*, as is done at 'Arafat, and all of Muzdalifah is a place of standing.

Ash-Shaykh Ibn Baz

Spending the Night at Muzdalifah

Q What is the ruling on spending the night at Muzdalifah before midnight?

A It is *Wajib* (compulsory) upon the *Hajj* pilgrim to spend the night at Muzdalifah on the night before the 10th of Thul-Hijjah until the time of *Al-Fajr*, unless there is an excuse, such as illness or something similar. For such a person and whoever is responsible for his affairs, it is permissible for him to travel to Mina after the middle of the night. This is because the Prophet ﷺ spent the night there (at Muzdalifah) during his *Hajj* until *Fajr*, and he allowed the people with excuses to leave from Muzdalifah to Mina after midnight.

Ash-Shaykh Ibn Baz

What is the rule regarding spending the Night at Muzdalifah and what is the ruling if someone is not able?

Q What is the rule regarding spending the night at Muzdalifah, and if the *Hajj* pilgrim is not able and suffices by simply passing by it (i.e., Muzdalifah), then what is the ruling on his *Hajj*?

A It is obligatory on the *Hajj* pilgrim to spend the night at Muzdalifah until the middle of the night comes. And if the person spends the complete night there, and prays the *Fajr* prayer there, and remembers Allâh after the prayer and seeks His forgiveness until it becomes light outside, that is better and more complete. It is permissible for the weak people among the women and the elderly and those similar to them, to leave during the last half of the night, because the Messenger ﷺ permitted the weak among his family to do that. In reference to himself, he spent the night there and offered the *Fajr* prayer there. He remembered Allâh after the prayer, he declared His

Right to be worshiped alone, and he sought His forgiveness. Then when it became very bright outside, he pushed on to Mina. It is more perfect for the *Hajj* pilgrim to follow him in that, and the weak people have the permission to leave before morning, as was mentioned previously. Whoever leaves off spending the night in Muzdalifah without a legislated excuse, he must slaughter an animal, as he has opposed the Sunnah. This is also due to the statement of Ibn 'Abbas ﷺ: "Whoever leaves off a *Hajj* rite or forgets it, let him shed blood (i.e., sacrifice an animal)." There is no doubt that spending the night at Muzdalifah is a tremendous *Hajj* rite. Even some of the people of knowledge have held the view that it is a pillar from the pillars of *Hajj*. Some of them held the view that it is a Sunnah act. However, the most balanced of the opinions is that it is an obligation from the obligatory acts of *Hajj*. If it is left off, an animal must be sacrificed along with repentance and seeking forgiveness by whoever leaves this off intentionally without a legislated excuse.

Ash-Shaykh Ibn Baz

The ruling concerning whoever left off spending the Night at Muzdalifah

What is the ruling concerning the *Hajj* pilgrim who left off spending the night in Muzdalifah on the night preceding the *'Eid* (10th of Thul-Hijjah)?

Spending the night at Muzdalifah is *Wajib* (compulsory). It is allowed for the weak to go ahead (to Mina) at the end of the night. Leaving it intentionally is a sin and necessitates a ransom (of atonement) [*Fidyah*] according to the majority of the people of knowledge. If someone did it out of ignorance, he is only required to offer a ransom (of atonement). If someone did so due to inability (to stay), the obligation is cancelled, like all other obligations (concerning the one who is unable to fulfill them). However, whoever arrived (at Muzdalifah) in time for

the *Fajr* (Dawn) prayer, and remained after the prayer remembering Allâh, and then went forth (to Mina), he is accredited for that (with having fulfilled the obligation of staying at Muzdalifah).

Ash-Shaykh Ibn Uthaimeen

The ruling on leaving off spending the Night at Muzdalifah due to overcrowding

During these days we see that when the people depart from 'Arafat to Muzdalifah there is severe crowding, such that when the *Hajj* pilgrim reaches Muzdalifah, he cannot spend the night there due to the severe crowding. He finds difficulty in that. So, is it permissible to leave off spending the night at Muzdalifah and is there any sin on the *Hajj* pilgrim if he leaves off spending the night there? Also, does it suffice him to offer the *Maghrib* and *'Isha'* prayers instead of standing (for devotional supplications) and spending the night at Muzdalifah? This is by the *Hajj* pilgrim praying the *Maghrib* and *'Isha'* prayers at Muzdalifah and then immediately setting out to Mina. Is it correct to do the standing in this manner? We would like clarification concerning that along with mentioning the evidence.

Spending the night at Muzdalifah is from the obligations of *Hajj*. This is in following the Prophet ﷺ, as he spent the night there and offered the *Fajr* prayer there. Then he stayed there until it became very clear outside and he said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

The *Hajj* pilgrim is not considered to have performed this obligation if he offered the *Maghrib* and *'Isha'* prayers together

[1] Muslim no. 1297 and Al-Bayhaqi 5:125.

there and then left. This is because the Prophet ﷺ only permitted the weak people to leave at the end of the night. If the person does not spend the night at Muzdalifah, he must slaughter an animal to make up for his leaving off the obligation. The difference of opinion among the people of knowledge concerning spending the night at Muzdalifah being a pillar or an obligation or a Sunnah is famous and well-known. However, the most correct view among the three opinions is that it is an obligation. Whoever leaves it off must sacrifice an animal and his *Hajj* will be correct. This is the opinion of most of the people of knowledge, and it is only allowed for the weak people to leave off spending the night by leaving during the second half of the night. In reference to those who are strong, who do not have weak people with them, then the Sunnah for them is to remain at Muzdalifah until they pray the *Fajr* prayer there, remembering Allâh and supplicating to him until the sky becomes bright. Then, they leave before sunrise, following the practice of the Messenger of Allâh ﷺ. Whoever does not reach Muzdalifah until the second half of the night from the weak people, it is sufficient for him to stay there for some time and then leave, taking the granted permission. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on whoever offers the *Maghrib* and *'Isha'* Prayers before Muzdalifah

Q What is the ruling on whoever offers the *Maghrib* and *'Isha'* prayers combined and shortened in the later time (i.e., the time of *Al-'Isha'*) before entering Muzdalifah? This was due to various unforeseen causes. Among these causes was his car stopping on the way to Muzdalifah. Therefore, due to fear of missing the time of the *Maghrib* and *'Isha'* prayers, as the time was very late, he offered the *Maghrib* and *'Isha'* prayers at the borders of Muzdalifah, meaning a short distance before Muzdalifah. Then he slept while his car was being fixed. Then, he also offered the *Fajr* prayer after the

time of *Fajr* entered, and he offered it at the borders of Muzdalifah, as he was not able to enter Muzdalifah until morning after the sun had risen. So, is his offering all of these prayers of *Al-Maghrib, Al-'Isha'* and *Al-Fajr* at the borders of Muzdalifah correct? We hope for clarification concerning this from your eminence, along with mentioning the evidence.

The prayer is correct everywhere except where the Islamic legislation has excluded as an exception. This is as the Prophet ﷺ said:

«جُعِلَتْ لِيَ الْأَرْضُ مَسْجِدًا وَطُهُورًا»

"The earth has been made a Masjid (place of prayer) and a purification for me."[1]

However, what is legislated for the *Hajj* pilgrim is that he offers the *Maghrib* and *'Isha'* prayers together at Muzdalifah if that is possible, before the middle of the night. If he is not able to do so due to crowding or some other reason, he prays it wherever he is. It is not permissible for him to delay these prayers past the middle of the night. This is due to Allâh's Statement:

﴿إِنَّ ٱلصَّلَوٰةَ كَانَتْ عَلَى ٱلْمُؤْمِنِينَ كِتَٰبًا مَّوْقُوتًا ﴿١٠٣﴾﴾

"Verily, the prayer is prescribed at fixed times on the believers."[2]

This means that it is obligatory to pray them in the (designated) times. This is also due to the statement of the Prophet ﷺ:

«وَقْتِ الْعِشَاءِ إِلَى نِصْفِ اللَّيْلِ»

"The time of Al-'Isha' (prayer) is until the middle of the night."[3]

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[1] Al-Bukhari no. 438 and Muslim no. 521.
[2] *Al-Nisa* 4:103.
[3] Muslim no. 612.

This was recorded by Muslim from a *Hadith* of 'Abdullah bin 'Amr bin Al-'Aas ﷺ. And Allâh knows best.

Ash-Shaykh Ibn Baz

Whoever catches the *Fajr* Prayer in Muzdalifah, there is no Sin on him

Q A traveling caravan left from 'Arafat after sunset and they got lost. So, they headed towards Makkah and the police returned them to 'Arafat. Then, when they arrived there, they stopped and offered the *Maghrib* and *'Isha'* prayers at 1:00 am at night. Then they entered Muzdalifah at the *Athan* of *Fajr*. So, they offered the *Fajr* prayer there in Muzdalifah and then left (for Mina). Is there any sin on them for that or not?

A There is no sin on these people because they caught the *Fajr* prayer in Muzdalifah when they entered at the time of the *Athan* of *Fajr* and offered the *Fajr* prayer there when it was dark. Indeed, it has been confirmed from the Prophet ﷺ that he said:

«مَنْ شَهِدَ صَلَاتَنَا هٰذِهِ وَوَقَفَ مَعَنَا حَتَّى يَدْفَعَ وَقَدْ وَقَفَ بِعَرَفَةَ قَبْلَ ذٰلِكَ لَيْلًا أَوْ نَهَارًا، فَقَدْ تَمَّ حَجُّهُ وَقَضَى تَفَثَهُ»

"Whoever is present for this prayer of ours and he stands with us (in supplication and remembrance of Allâh) until we leave, and before that he stood at 'Arafat during the night or the daytime, then he has completed his Hajj and completed his prescribed duties."[1]

However, these people erred in delaying the prayer until after the middle of the night, because the time of the *'Isha'* prayer is until the middle of the night, as is confirmed in *Sahih Muslim* from a *Hadith* of 'Abdullah bin 'Amr bin Al-'Aas ﷺ from the Prophet ﷺ.

Ash-Shaykh Ibn 'Uthaimin

[1] At-Tirmithi no. 891.

He could not find a Place in Muzdalifah

If the *Hajj* pilgrim cannot find a place in Muzdalifah to stay the night before the day of the *'Eid*, what is the ruling?

Whoever is unable to stay in Muzdalifah, it is obvious that there is no sin on him, because obligations are removed due to a lack of ability to carry them out.

Ash-Shaykh Ibn 'Uthaimin

He stayed at Namirah thinking that it was Muzdalifah

A *Hajj* pilgrim stayed at Namirah thinking that it was Muzdalifah, so what is the ruling on his *Hajj*?

Those who stay at Namirah thinking that it is Muzdalifah, they must offer a ransom (for atonement) because they have been neglectful by not asking. However, their *Hajj* is correct.

Ash-Shaykh Ibn 'Uthaimin

Standing at the Sacred Site is not obligatory on the *Hajj* Pilgrim

During my *Hajj* this year and after *'Arafah*, I went to Muzdalifah and I spent the night there. However, I forgot to go to the Sacred Site (*Al-Mash'aril-Haram*). Is there any sin on me for this?

There is no sin on you if you spent the night in Muzdalifah in any place there, and there is no harm if you did not go to the Sacred Site (*Al-Mash'aril-Haram*). For verily, the Prophet ﷺ stood at the Sacred Site and said:

«وَقَفْتُ هَاهُنَا وَجَمْعٌ كُلُّهَا مَوْقِفٌ»

"I have stood here and all of Jam' is a place of standing."[1]

The word *Jam'* means Muzdalifah. Any place where you stood in it and spent the night in it, then that is sufficient. That which seems apparent from the statement of the Prophet ﷺ: "I have stood here and all of *Jam'* is a place of standing," is that it is not necessary for the person to burden himself and go through difficulty in order to reach the Site. Rather, he may stand at his place where he is when he offers the *Fajr* prayer, and then supplicate to Allâh. Then, he pushes on to Mina.

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever left Muzdalifah at 11:40 pm and stoned the Pillar at 12:00 am

Q We left from Muzdalifah at 11:40 pm and we had children with us. We stoned the pillar at 11:50 pm, then we went to Makkah. So, what is the ruling?

A There is no sin on you, because your leaving Muzdalifah happened to be at the time of the middle of the night. If you had waited until the moon disappeared that would have been better and safer. May Allâh give success to everyone in doing that which contains His Pleasure and may He accept from you and us and all of the Muslims.

Ash-Shaykh Ibn Baz

The ruling on leaving from Muzdalifah before the middle of the Night

Q An Egyptian man who lives in the Kingdom (of Saudi Arabia) met his mother at the airport of Jeddah, as she came from Egypt with the intention of performing *Hajj*. When she arrived, they went and performed the rites of *Hajj*.

[1] Muslim no. 1218.

Then, they left from 'Arafat to Muzdalifah in the company of a *Mutawwif*, and when they arrived in Muzdalifah, they combined the *Maghrib* and *'Isha'* prayers. Then, the *Mutawwif* forced them to leave to Mina before the middle of the night, meaning they did not spend the night at Muzdalifah and they only stayed there until before midnight. Then, they went against their will and completed their *Hajj*. So, what is due on them, while knowing that his mother traveled to Egypt and it is not possible for her to return. Is her *Hajj* permissible since she came on a plane without a *Mahram*?

If the matter is as the questioner mentioned, the *Hajj* of the woman is correct and there is nothing due on her or her son for their leaving from Muzdalifah before midnight, because they were forced to do that.

In reference to the woman coming from Egypt without a *Mahram*, that is not permissible, and she must repent for doing that. However, that does not nullify her *Hajj*. Rather, her *Hajj* is correct. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Spending the Night in Mina

He could not find a Place in Mina

If the *Hajj* pilgrims cannot find a place during the days of *At-Tashreeq* in Mina and during its nights, what is the ruling?

If they could not find a place in Mina they should stay by the last tent from the tents of the *Hajj* pilgrims, even if it is outside of the boundaries of Mina. This is due to Allâh's Statement:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"Fear Allâh as much as you are able." [1]

Ash-Shaykh Ibn 'Uthaimin

He spent the Night outside of Mina due to the crowding

Q If the *Hajj* pilgrim cannot find a place to spend the night in Mina what should he do? If he spends the night outside of Mina is there any sin on him?

A If the *Hajj* pilgrim exerts much effort in finding a place in Mina to spend the night during the nights of Mina and he does not find anything, there is no sin on him if he spends the night outside of it. This is due to the Statement of Allâh:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able."

There is no ransom (of atonement) due on him due to leaving off staying there due to his lack of ability to do so.

Ash-Shaykh Ibn Baz

The ruling on whoever spends the Night outside of Mina due to Ignorance

Q Verily, I performed *Hajj* along with my family this year. We spent the night for three days and due to the numerous *Hajj* pilgrims we found out after two days had passed that we were outside of Mina. Therefore, I hope for a beneficial answer concerning what is the consequence of that?

A If you could not find a place there is no sin on you. If you found a place but you were lax about spending the night there (in Mina), then you must repent to Allâh. If you did not

[1] *At-Taghabun* 64:16.

spend all of the required nights (in Mina), the people of knowledge say that you must offer a ransom (of atonement, i.e., slaughter an animal) that is to be distributed among the poor people of Makkah. If you did not spend the first night, but you spent the second night, you must feed a poor person.

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever spent the Night outside of Mina due to Ignorance and he did not ask

Q A man spent two nights extremely close to Mina, thinking that he had spent the night in Mina. However, it became clear to him after that that he was close to it, but he did not know that until these days. So, what should he do now?

A He must slaughter an animal in Makkah for the poor people, because he left off an obligation without a legislated excuse. It was obligatory upon him to ask about Mina (i.e., its location) so that he could spend the night in it.

The mentioned man did not perform this obligation, so for this reason he must slaughter an animal. This animal should be a year-old sheep or a two-year-old goat that is suitable for sacrificing. Concerning whoever searched for a place in Mina but could not find one, there is no sin on him. This is due to the Statement of Allâh:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able." [1]

And His Statement:

﴿لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allâh does not burden a soul except with what it can bear." [2]

And the statement of the Prophet ﷺ:

[1] *At-Taghabun* 64:16.
[2] *Al-Baqarah* 2:286.

«إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

"If I command you to do something, then do it as much as you are able."[1]

Also excluded from this is whoever has a legislated excuse that prevents him from spending the night in Mina, like the sick person, the shepherds, and the people who are responsible for supplying water. There is no sin on them (for not staying in Mina). And success is from Allâh.

Ash-Shaykh Ibn Baz

It is better to spend the Night in Mina by staying the entire Night

Q Indeed Allâh granted me success and I performed *Hajj* along with my wife. During the three days of *At-Tashreeq* we only stayed in Mina until 1:00 am at night and we would return to Makkah and spend the night there as we had a house there. Is this permissible? Please benefit me with an answer, and may Allâh reward you with good.

A Spending most of the night in Mina is sufficient, and all praise is due to Allâh. There is no sin on you and your wife, but if you had stayed in Mina the entire night that would have been better, in following the Prophet ﷺ and his Companions ﷺ. And success is from Allâh.

Ash-Shaykh Ibn Baz

It is conditional concerning spending the Night in Mina that it is for most of the Night

Q What is the ruling on whoever spent the night in Mina until 12:00 am at night, then he entered Makkah and

[1] Al-Bukhari no. 7288 and Muslim no. 1337.

did not return to Mina until the beginning of *Fajr* time?

If 12:00am at night was the middle of the night in Mina, then there is no harm in leaving it afterwards, even though it is better to stay in Mina during the day and the night. If 12:00 am was before the middle of the night, then he should not leave, because it is a condition of spending the night in Mina that it is for most of the night, according to what our *Fiqh* scholars have mentioned - may Allâh have mercy on them.

Ash-Shaykh Ibn 'Uthaimin

The ruling of the *Hajj* Pilgrim spending the Night in Makkah during the Days of *At-Tashreeq*

It is known that the *Hajj* pilgrim is required to spend the night in Mina during the days of *At-Tashreeq*. However, if the person does not want to sleep at night, can he go outside of Mina and stay in the *Haram* (i.e., the Sacred Mosque) to perform extra acts of worship? May Allâh give you success.

The intent of the statement of the people of knowledge that spending the night in Mina during the days of *At-Tashreeq* is obligatory is that the person remains in Mina, whether he is sleeping or awake. The intent is not only that he be sleep. Based on this, we say to the questioner that it is not permissible for you to stay in Makkah Al-Mukarramah during the days of *At-Tashreeq*. Rather, it is obligatory on you to be in Mina.

However, the people of knowledge say that if the person spends most of the night in Mina that suffices him. And if he cannot find a place in Mina, it is obligatory that he stays at the end of the last tent (in Mina) and he may not go to Makkah Al-Mukarramah. Rather, we say that if you cannot be in Mina, look for the last tent from the tents of the *Hajj* pilgrims and be next to it, because the obligation is that the people be with each other. Likewise, we also say if the *Masjid* is filled with people,

then verily, they are to line up in rows near each other (i.e., even if the rows go out of the *Masjid*). And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

Whoever is not able to spend the Night in Mina due to work

What is the ruling concerning the person whose work conditions do not allow him to spend the night in Mina during the days of *At-Tashreeq*?

Spending the night in Mina is not required for the people with valid excuses. However, they must take advantage of the rest of the times by staying in Mina with the *Hajj* pilgrims.

Ash-Shaykh Ibn Baz

The ruling on spending the Night outside of Mina during the Days of *At-Tashreeq*

What is the ruling on spending the night outside of Mina during the days of *At-Tashreeq*, whether that was done intentionally or due to the excuse of not being able to find a place there? And when does the *Hajj* pilgrim begin leaving from Mina?

Spending the night in Mina is obligatory, according to the correct opinion, during the 11th night and the 12th night (i.e., the nights of the 10th and 11th of Thul-Hijjah). This is the view preferred by the researchers among the people of knowledge. This is obligatory upon the men and the women among the *Hajj* pilgrims. If they cannot find a place, then it is no longer obligatory on them and there is no sin on them. Whoever leaves it off without a valid excuse, he must slaughter an animal.

The *Hajj* pilgrim may begin leaving from Mina when he has stoned the pillars on the 12th day (of Thul-Hijjah) after midday. He has the permission to leave from Mina and if he delays (and

stays) until he stones the pillars on the 13th day (of Thul-Hijjah) after midday, then that is better.

Ash-Shaykh Ibn Baz

He left off spending the Night in Mina during the Days of *At-Tashreeq* without an Excuse

What is the ruling on whoever left off spending the night in Mina for three days or the two mentioned days due to him being in a hurry? Is he required to slaughter an animal for every day that he missed spending the night in Mina or does he only have to slaughter one animal for all of the three days that he did not spend the night there in Mina? We would like some clarification regarding this along with mentioning the evidence.

Whoever leaves off spending the night in Mina during the days of *At-Tashreeq* without an excuse, he has indeed left off a *Hajj* rite that the Messenger of Allâh ﷺ legislated with his statement and his action. This is also due to the implication of his allowing an exemption for some of the people with excuses, like shepherds and those people responsible for supplying water. An exemption is only in response to something that is highly emphasized. Therefore, spending the night in Mina during the days of *At-Tashreeq* is considered from the obligations of *Hajj* according to the correct view among the opinions of the people of knowledge. Whoever leaves it off without a legislated excuse, then he must slaughter an animal. This is due to what has been confirmed from Ibn 'Abbas ﷺ that he said:

«مَنْ تَرَكَ نُسُكًا أَوْ نَسِيَهُ فَلْيُرِقْ دَمًا»

"Whoever leaves off a Hajj rite or forgets it, then he must shed blood (i.e., sacrifice an animal)."

The slaughtering of one animal suffices for leaving off spending the night (in Mina) during the days of *At-Tashreeq*. And Allâh knows best.

Ash-Shaykh Ibn Baz

He left off spending the Night in Mina due to his Illness

Q What is the ruling on whoever left off spending the night in Mina for one night, which was the 11th night (i.e., the night of the 10th of Thul-Hijjah)? This was due to the *Hajj* pilgrim being ill and he was not able to spend the night in Mina during that night. However, he stoned the pillars during the day after midday, meaning he stoned the pillars on the 11th day (of Thul-Hijjah) during the days of *At-Tashreeq*, along with the stoning the pillars on the 12th day during the daytime after midday. Is he required to slaughter an animal in this case, since he left off spending the 11th night in Mina, even though he spent the 12th night in Mina and stoned the pillars after midday for that day, then he traveled from Mina to Makkah? We hope for some clarification concerning this along with mentioning the evidence.

A As long as leaving off spending the night in Mina was for one night due to the excuse of illness, there is no sin on him. This is due to Allâh's Statement:

﴿فَٱتَّقُوا۟ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able." [1]

This is also because the Prophet ﷺ exempted the people responsible for supplying water and the shepherds from spending the night in Mina due to their providing water and guarding the animals. And Allâh knows best.

Ash-Shaykh Ibn Baz

[1] *At-Taghabun* 64:16.

The Day of the *'Eid* is not one of the Days of *At-Tashreeq*

Q Some of the people stay in Mina for one night, which is the 11th night (i.e. the night of the 10th of Thul-Hijjah), and they stone the pillars for the 12th day on the day of the 11th (of Thul-Hijjah). These people think that they have stayed two days because they count the day of the *'Eid* as one of the days of *At-Tashreeq*. They say: "We stoned the pillar on the day of the *'Eid* (the day of Sacrifice) and the second day after it, which is the 11th day (of Thul-Hijjah)." And they say: "Verily, this is two days," basing their statement on the noble Verse in which Allâh says:

﴿فَمَن تَعَجَّلَ فِي يَوْمَيْنِ فَلَآ إِثْمَ عَلَيْهِ﴾

"So whoever rushes (and leaves) in two days, there is no sin on him." [1]

Based on this, they leave Mina on the 11th day after they stone the pillars for the 12th day on the day of the 11th. Thus, they leave off staying the 12th day in Mina. Is this permissible according to the Islamic law, and is it correct for the person to count the day of the *'Eid* as one of the two days or that they stone the pillars for the 12th on the 11th day and then leave Mina? We would like some clarification concerning this along with mentioning the evidence.

A The meaning of two days that Allâh allowed for those who are in a hurry to leave from Mina after completing them, is the second and third days of the *'Eid*. This is because the day of the *'Eid* is the day of the Great *Hajj* and the days of *At-Tashreeq* are the three days that follow the day of the *'Eid*. These are the days for stoning the pillars and remembering Allâh, the Magnificent and Exalted. So, whoever rushes, should leave

[1] *Al-Baqarah* 2:203.

before sunset on the 12th day (of Thul-Hijjah), and whoever is still in Mina at sunset on this day, he must spend the night there and stone the pillars on the 13th day. This is what the Prophet ﷺ and his Companions ﷺ did. Whoever leaves on the 11th day, then he has failed to fulfill what is obligatory upon him of stoning. Thus, he must slaughter an animal in Makkah for the poor. In reference to him leaving off spending the night in Mina on the 12th night (i.e., the night of the 11th of Thul-Hijjah), he must give charity for that, as much as he is easily able to give. Along with this he must repent and seek Allâh's forgiveness for his deficiency and rushing (to leave) before its time.

Ash-Shaykh Ibn Baz

He left from Mina on the 12th Day in a hurry and he wanted to return for some work

Q If the *Hajj* pilgrim leaves from Mina before sunset on the 12th day with the intention of leaving in a hurry, and he has some work in Mina that he will return to do after sunset, is he considered someone who leaves in a hurry?

A Yes, he is considered someone who leaves in a hurry because he finished the *Hajj* and the intention of his return to Mina for his work does not prevent his leaving hastily. This is because he only intended to return for the work that he is responsible for and not the *Hajj* rites.

Ash-Shaykh Ibn 'Uthaimin

Stoning the Pillars

The Stones for the Pillars

Q Where are the stones for the pillars taken from and what is the description of the stone? Also, what is the ruling on washing the stone?

The stones are taken from Mina and if they are taken from Muzdalifah on the day of the *'Eid*, there is no harm in that. It should be seven stones on the day of the *'Eid*, and it is not legislated to wash them. Rather, they should be taken from Mina or Muzdalifah and the person throws them. They also may be taken from any other place of the *Haram* (the Sacred Area of Makkah) and that is sufficient and there is no harm in it. During the days of *At-Tashreeq* the person picks them up from Mina, collecting 21 stones each day. If the person is in a hurry to leave, he takes 42 stones for the 11th and 12th day; and if he is not in a hurry to leave, he takes 63 stones. These stones should be pebbles for throwing, and they resemble the droppings of the medium sized sheep. They are larger than the chickpea and smaller than the hazelnut, as the *Fiqh* scholars have said. They are called throwing pebbles, as was mentioned previously, and they are slightly smaller than the droppings of sheep.

Ash-Shaykh Ibn Baz

The ruling on stoning with the Pebbles that are around the Pillars

Is it permissible for the *Hajj* pilgrim to stone using the pebbles that are around the pillars?

That is permissible for him, because the basic principle (i.e., assumption) is that it has not been used for stoning. However, concerning those stones that are in the basin (at the foot of the pillar), none of them should be used for stoning.

Ash-Shaykh Ibn Baz

The ruling on stoning with used Stones

It has been said that it is not permissible to stone the pillar with a stone that has already been thrown. Is this correct and what is the evidence for it?

This is not correct, because those who seek to prove that a stone that has been thrown may not be used for throwing, give three reasons for that. They say that it, meaning the stone that has been thrown, is like used water in regards to obligatory purification. The used water for obligatory purification is pure in itself but it cannot purify something else. They also say that it (the used stone) is like the slave when he is freed. He cannot be freed after that for expiation of a sin or some other reason. They also say that saying it is permissible to do this (i.e., throw a used stone) necessitates that it is allowed for all of the *Hajj* pilgrims to stone with a single stone. So, you may throw this stone, then you can pick it up and throw it again, then pick it up and throw it again, until you complete seven throws. Then, another person can come and take the same stone and throw it until he throws it seven times. However, all of these three reasons, if you look carefully, are extremely defective. In reference to the first reason, verily we say that the ruling is fundamentally wrong. That is the ruling that used water in regards to obligatory purification is pure in itself, but it cannot purify anything else. This is wrong because there is no evidence for it, and it is not possible to change the water from its basic characteristic, which is that it is pure and purifying in all aspects, except with an evidence. Based upon this, used water in regards to obligatory purification, is pure in itself and purifying for other than it. If the original ruling is negated that is being used for the basis of the analogy, then the derived (branch) ruling is also negated. In reference to the second reason, which is an analogy between the thrown stone and the freed slave, then it is an analogy between different things. For verily the servant, if he is freed, is a free man and not a slave. Therefore, there is no place for freeing him (again). This is different than the stone that is thrown, for verily it remains a stone after it is thrown. Thus, the meaning that made it initially suitable for throwing has not been negated. Due to this, if this slave who was freed is made a slave again for some Islamically legislated reason, it is permissible to free him again a second time. In reference to the third reason, which is that this

necessitates that it is allowed for the *Hajj* pilgrims to limit themselves to throwing a single stone, we say if that is possible then let it be (permissible). However, this is not possible, and no one would try to do it with the numerous amount of available stones. Based upon this, if a stone or more falls from your hand around the pillars, then take another one in its place from those near you and throw it. It makes no difference whether you think it has been thrown before or not.

Ash-Shaykh Ibn 'Uthaimin

The beginning of stoning the Pillars, how it is to be done and the Number of Stones

When does the *Hajj* pilgrim begin stoning the pillars? How is the stoning done? What is the number of stones? Which of the pillars should be stoned first and when does the stoning end?

The person stones the first of the pillars on the day of the *'Eid*, and it is the pillar that is nearest to Makkah. It is called *Jamaratul-'Aqabah*. He stones it on the day of the *'Eid* and if he stones it during the last half of the night on the night before the day of Sacrifice, that is sufficient. However, it is better to stone it at *Dhuha* time (i.e., after sunrise and before noon) and the time for stoning lasts up until sunset. If he misses stoning it before then, he may stone it after sunset during the night on the day of the *'Eid*. He throws the stones one at a time and he says *'Allâhu Akbar'* (Allâh is the Most Great) with each of the stones. In reference to the days of *At-Tashreeq*, he stones the pillars after the sun passes its meridian (after midday). He stones the first pillar, which is next to Masjidul-Khayf, with seven stones, and he says *'Allâhu Akbar'* (Allâh is the Most Great) with each of the stones. Then he stones the middle pillar with seven stones and then the last pillar with seven stones. This is done on the 11th day, the 12th day and likewise on the 13th day for whoever is not in a hurry to leave. The Sunnah is to stand after the first and

second pillars. After he stones the first pillar he stands facing the *Qiblah* and he places the pillar on his left side while supplicating to his Lord for a long time. After stoning the second pillar he stands placing the pillar on his right side while facing the *Qiblah* and supplicating to his Lord for a long time. This is done on the 11th and 12th day, and also the 13th day for whoever is not in a hurry to leave. In reference to the last stone pillar which is nearest to Makkah, he stones it but he does not stand at it because the Messenger ﷺ stoned it and he did not stand at it.

Ash-Shaykh Ibn Baz

The Time of stoning the Pillars and stoning at Night

Q When does the time for stoning the pillars begin on the three days of *At-Tashreeq* and when does it end? Is it correct for the *Hajj* pilgrim to stone these pillars at night particularly during these days, as we see extreme crowding and severe difficulty in stoning during the daytime? This is because some of the people use as an evidence the authentic *Hadith* which Al-Bukhari recorded in his *Sahih* on the authority of Ibn 'Abbas رضي الله عنهما where he said that the Messenger of Allâh ﷺ was being asked on the day of Sacrifice at Mina, and he would say:

«لَا حَرَجَ»

"No problem."

A man asked him, saying: "I shaved my head before I slaughtered (an animal)." The Prophet ﷺ said:

«اذْبَحْ وَلَا حَرَجَ»

"Slaughter, and there is no problem."

So, someone said: "I stoned (the pillar) after the *Masa'* (i.e., evening) came upon me." The Prophet ﷺ replied:

«لَا حَرَجَ»

"No problem."

Thus, these people say that if the Messenger of Allâh ﷺ allowed the man to stone the pillar at night, and stoning on the day of Sacrifice is among the most important obligations upon every *Hajj* pilgrim so that he can complete the first phase of removing *Ihram*, how about the remaining three days of *At-Tahsreeq*, which are less of an obligation than the day of Sacrifice? Hence, this is a proof that stoning during the three days of *At-Tashreeq* is permissible during the night. So, what is the ruling on whoever stones the pillars at night, and is there any sin on him or not? We hope for some clarification from your eminence concerning this point along with mentioning the evidence.

The time for stoning the pillars on the days of *At-Tashreeq* is from midday to sunset. This is due to what Muslim recorded in his *Sahih*, that Jabir ﷺ said: "The Messenger of Allâh ﷺ stoned on the day of Sacrifice at *Dhuha* time (i.e., after sunrise and before midday) and he stoned after that (i.e., during the days of *At-Tashreeq*) after midday." This is also due to what Al-Bukhari recorded from Ibn 'Umar ﷺ that he was asked about that, so he said: "We would wait, and then when the sun passed midday, we would stone." This is the view held by the majority of the scholars. However, if the person is forced by necessity to stone at night, there is no harm in that, but it is safer to stone before sunset for whoever is able to do so. This is in acting according to Sunnah and avoiding the difference of opinion.

In reference to the mentioned *Hadith* of Ibn 'Abbas, it is not a proof for stoning at night, because the questioner asked the Prophet ﷺ on the day of Sacrifice, saying, "after the *Masa'* (i.e., evening) came upon me," which means after midday. However, this is used as a proof concerning stoning at night because no clear text is reported from the Prophet ﷺ that proves the lack of permissibility for stoning at night, and the basic principle is that it is permissible. Yet, it is better and safer to stone in the daytime. Whenever the need calls for stoning at night, then

there is no harm in it for stoning until the end of the night for that day on which the sun set. In reference to stoning for the forthcoming day, this may not be done on the previous night, except for the night before the day of Sacrifice for the weak people, who may stone during the last half of the night. In reference to those who are strong, the Sunnah for them is that their stoning the pillar of *Al-'Aqabah* should be after sunrise, as mentioned previously. This is in combining between the reported *Hadiths* concerning this. And Allâh knows best.

Ash-Shaykh Ibn Baz

The time of stoning the Pillar of *Al-'Aqabah*, in its proper Time and making up for it after its Time

When does the time for stoning the pillar of *Al-'Aqabah* end and when does the time end for making up for it (i.e., if one missed it)?

In reference to stoning the pillar of *Al-'Aqabah* on the day of the *'Eid*, this ends at the entrance of *Fajr* time on the 11th day and it begins at the end of the night before the day of Sacrifice for the weak and those similar to them who cannot bear the crowding of the people. In reference to stoning it on the days of *At-Tashreeq*, it is just like stoning the other two pillars along with it. This stoning begins from midday and ends when the *Fajr* time begins from the night that followed the day (of stoning), unless it is the last of the days of *At-Tashreeq* (i.e., the 13th). On the last day the stoning ends with the setting of the sun. Along with this, stoning during the day is better. The exception is if during these times, with the large number of *Hajj* pilgrims, and their roughness, and their lack of concern for each other, if the person fears for himself from death or harm or extreme difficulty, he may stone at night, and there is no sin on him. Likewise, if he stones at night without any fear of this, there is no sin on him. However, it is better that he is mindful of what is safest in this matter and that he does not stone at night

unless there is a need to do so. In reference to his statement concerning making up for (missed stoning), it is considered making up for (missed stoning) if it is done after the time of *Fajr* enters for the following day.

Ash-Shaykh Ibn 'Uthaimin

It is not permissible to stone the Pillars during the Days of *At-Tashreeq* before Midday

A *Hajj* pilgrim from outside of the Kingdom who does not know about the conditions of travel, ticket arrangements and airplanes, asked in his country could he reserve a ticket for 4:00 pm in the afternoon (13/12/1405 AH) and he was told that this was possible. So, he reserved that date and he was caught by the requirement of spending the night in Mina for the 13th night, which is the night of the 12th of Thul-Hijjah. So, is it permissible for him to stone in the morning and then leave, knowing that if he delayed it until after midday he will miss his trip, which will result in great hardship and breaking the law of the authorities?

It is not permissible for him to stone before midday, but maybe we can say that he is not required to stone in this situation due to necessity. We say to him: "You are required to offer a ransom (of atonement) by slaughtering an animal in Mina or Makkah or you appoint someone to slaughter it for you. It should be distributed among the poor. Then you are to make *Tawaful-Wada'* and then leave. We say, in reference to your statement: 'If the answer is that it is not permissible, isn't there an opinion that permits stoning before midday?' The answer is that there is an opinion that permits stoning before midday, but it is not correct. The correct view is that stoning before midday is not permissible. This is because the Prophet ﷺ said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

'Take your Hajj rites from me.'[1]

And he ﷺ did not stone until after midday. If a person says: 'The Prophet's stoning after midday is simply his action and mere action does not prove obligation,' we say that this is correct. It was merely an action and mere action does not prove obligation. In reference to it merely being action, this is because the Prophet ﷺ did not command that the stoning be done after midday nor did he prohibit stoning before midday. In reference to the action not being a proof of obligation, yes, it does not prove obligation, because obligation can only be by a command to do an action or a prohibition of leaving it off. However, we say that this action is accompanied by something that proves its obligation. This point of view is based on the fact that the Messenger ﷺ delayed stoning until the sun declined past midday, thus proving the obligation. For if the stoning before midday had been permissible, the Prophet ﷺ would have done it, because it is easier on the servants and more accommodating. And the Prophet ﷺ was not given the choice between two matters except that he chose the easiest of them, as long as it was not a sin. Thus, the fact that he did not choose the easiest thing here, which is stoning before midday, proves that it is a sin. The second point from that which proves that this action is for obligation, is the fact that the Messenger ﷺ stoned immediately after midday before praying the *Zuhr* prayer. So, it is as if he was waiting for the midday with anticipation to make haste with the stoning. For this reason, he delayed the *Zuhr* prayer even though it is better to pray it in the first part of its time. All of this was so that he could stone after midday."

Ash-Shaykh Ibn 'Uthaimin

It is not permissible to stone before Midday

Q Verily, during the last days of *Hajj* I stoned the pillars 15 minutes before the *Athan* of *Az-Zuhr*. Is this the time

[1] Muslim no. 1297.

of midday and is there anything due on me if it (the time of midday) did not start until after this?

You must slaughter an animal in Makkah for the poor, because stoning the pillars during the days of *At-Tashreeq* is only after midday and it does not suffice to do it before that. This is because the Prophet ﷺ stoned during the days of *At-Tashreeq* after midday and he said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

Thus, it is obligatory on the Muslims to follow him in that - may the best of blessings and peace be upon him from His Lord.

Along with that, you must repent to Allâh, because you opposed that which was legislated. May Allâh pardon you and us and every Muslim.

Ash-Shaykh Ibn Baz

The ruling on stoning the Pillar of *Al-'Aqabah* at Night

Is it permissible to stone the pillar of *Al-''Aqabah* at night, meaning during the night before *'Eidul-Adhha* after leaving from Muzdalifah to Mina at night? What does your eminence have to say about the authentic *Hadith*, which is the statement of the Prophet ﷺ to the youth of Bani 'Abdul-Muttalib:

«لَا تَرْمُوا الْجَمْرَةَ حَتَّى تَطْلُعَ الشَّمْسُ»

"Do not stone the pillar until the sun has risen."[2]

What is better for those who are strong is that they stone the pillar of *Al-'Aqabah* on the day of the *'Eid* after sunrise,

[1] Muslim no. 1297.
[2] At-Tirmithi no. 893.

in following the Prophet ﷺ and acting according to the mentioned *Hadith*. In reference to the people with excuses, who are those who are weak, it (stoning) is permissible for them during the last half of the night due to the reported *Hadiths* concerning this. Among those *Hadiths* is the *Hadith* of Umm Salamah ﷺ that she stoned the pillar before *Fajr* time. This was recorded by Abu Dawud with an authentic chain of narration. It is also due to what Al-Bukhari recorded from 'Abdullah, the freed slave of Asma', who said that she came and settled in Muzdalifah on the night of *Jam'*. Then she stood and prayed, and she prayed for an hour. Then, she said, 'Hey my little son, has the moon disappeared?' I said, 'No.' So, she prayed another hour, and then she said, 'Has the moon disappeared?' I said, 'Yes.' She then said, 'Let's go.' So, we left and we traveled on until she stoned the pillar of *Al-'Aqabah*. Then, she returned and offered the morning prayer at her place (i.e., her tent in Mina). So, I said to her, 'O woman, I think that we have come (to Mina) at night.' She replied, 'O my little son, verily the Messenger of Allâh ﷺ allowed this for the women.'" In reference to the *Hadith* of Ibn 'Abbas ﷺ concerning stoning after sunrise, indeed some of the people of knowledge have declared it weak due to a break in its chain of narration. Even if it is considered authentic, it is understood to mean recommendation and preference. This is combining between the reported *Hadiths* concerning that, as Al-Hafiz Ibn Hajar noted. And Allâh knows best.

The Permanent Committee

The ruling on stoning the Pillar of *Al-'Aqabah* during the Night

Q It has been reported in a *Hadith* of Ibn 'Abbas ﷺ that he said: "Verily, I stoned after the *Masa'* (i.e., evening) time came upon me." The Prophet ﷺ said: "No problem." This was graded authentic by Al-Bayhaqi. Is this authentic and is it permissible to stone the pillar of *Al-'Aqabah* after sunset on the day of Sacrifice (i.e., the 10th of Thul-Hijjah)?

It has been reported from the Prophet ﷺ that he was asked on the day of Sacrifice — and it was not during the days of *At-Tashreeq* — as is recorded in *Al-Bukhari*, that one of the Companions said: "I stoned after the *Masa'* time came upon me." This means that he stoned at the end of the day, and this is acceptable according to everyone. If the person stones at the end of the day on the day of the *'Eid*, after *Az-Zuhr* or after *Al-'Asr*, there is no harm in that. This narration does not mean that he stoned at night, because he asked the Prophet ﷺ before nighttime came. In reference to stoning after sunset, there is a difference of opinion about it among the people of knowledge. Among them there are those who say that it is sufficient, and this is a strong opinion. Others have said that if the sun sets, it is not suitable to stone. Rather, he must wait and stone after midday on the 11th day, but he stones the pillar of *Al-'Aqabah* before he stones (all) the pillars on the 11th. This is what is legislated according to the scholars. However, the Muslim should strive to stone the pillar of *Al-'Aqabah* during the daytime on the day of the *'Eid*, as the Prophet ﷺ and the Companions ﷺ did. Likewise, he should do the same (i.e., stone during the daytime) during the days that are for stoning after midday and before sunset (i.e., the 11th, 12th and 13th). If matters become difficult for him and the sun sets while he has not yet stoned, it suffices him to stone after sunset until the end of the night, according to the correct opinion. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on stoning the Pillars at Night and whoever leaves from Muzdalifah with the Women, is it permissible for him to stone before Midnight?

Is it permissible to stone the three pillars at night during the days of *At-Tashreeq* for whoever does not have an excuse? Is it permissible for whoever leaves from Muzdalifah with the women and weak people during the night before the

day of Sacrifice, after the middle of the night, to stone the pillar of *Al-'Aqabah* or not?

A It is permissible to stone after sunset according to the correct view, but the Sunnah is to stone after midday and before sunset. This is what is better if that is easy. If it is not easy (i.e., possible), the person may stone after sunset according to the correct view.

Whoever leaves with the weak people and the women, such as the *Mahrams*, drivers and others, then his ruling is their ruling. It suffices him to stone during the end of the night with the women.

Ash-Shaykh Ibn Baz

The ruling on whoever doubts concerning the Stones falling into the Basin (at the foot of the Pillars)

Q What is the ruling on whoever has doubt that some of his stones did not fall into the basin?

A Whoever has doubt, then he must complete it. He should take some stones from the ground from where he is in Mina and complete the stoning with them.

Ash-Shaykh Ibn Baz

If the Stones do not fall into the Basin

Q A *Hajj* pilgrim stones the pillar of *Al-'Aqabah* from the direction of the east, but his stone did not fall into the basin. So, what should he do since he is now in the 13th day (of Thul-Hijjah)? Is he required to repeat the stoning during the days of *At-Tashreeq*?

A He is not required to repeat the stoning entirely. He is only required to repeat the throwing that he did not do properly. Based on this, he repeats stoning the pillar of *Al-*

'Aqabah only and he stones it properly. The stoning that he did from the eastern side does not suffice him, because in this case the stones will not fall into the basin, which is the place of the stoning. Therefore, if he stones from the bridge from the eastern side, that will suffice him, because the stones will fall into the basin.

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever threw Six Stones only

Q What is due on someone who threw one stone, and it was the last stone with him (of the seven), and it did not fall into the basin of the large pillar due to the severe crowding that exhausted his strength?

A If he is able to throw another stone in its place without any difficulty, he should throw one more stone for it. If not, he sufficed by what he threw and he is not required to slaughter an animal or give food.

The Permanent Committee

Whoever has One or Two Pillars left to stone

Q If the seven stones that were thrown did not hit one of the pillars or two pillars and then a day or two passed, is the person required to repeat the stoning of these one or two pillars? If he is required to repeat the stoning, does he repeat whatever stoning he did after that as well?

A If he still has one or two pillars left to stone from the pillars, or even more clearly, if he has a stone or two left from one of the pillars, then the *Fiqh* scholars say that if it is from the last pillar, then he completes it. This means that he only completes the stoning of this one that was deficient, and he is not required to stone what he did before it (over again). If it was a pillar other than the last one, then he completes the stoning of the deficient pillar and whatever came after it.

However, I think what is correct is that he complete the stoning of the deficient pillar absolutely, but he is not required to repeat the stoning of what was after it. This is because keeping the order (of the pillars) is not a requirement if one is ignorant of that or he forgot. And this man, stoned the second pillar and he does not believe that he did anything wrong in what was before it. Thus, he is between ignorance and forgetfulness. Therefore, we say to him: "Whatever was deficient of the stones, throw it, and you are not obligated to stone (again) what you did after it."

Before finishing the answer, I would like to draw attention to the fact that what is stoned is the gathering place (basin) of the stones and not the erect pillar that is there only to direct to the stoning place. So, if the person threw the stone into the basin and he did not strike the pillar with any stones, his stoning is correct. And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

The ruling on stoning all of the Pillars in One Day

Q Is it permissible for the *Hajj* pilgrim to stone the pillars for all the days of *At-Tashreeq* in one day, regardless of whether that day was the first day of the days of *At-Tashreeq* or it was the day of Sacrifice, for example, or it was the last of the days of *At-Tashreeq*? Then the person spends the night in Mina for the two days or the three days without stoning, as he has stoned all of the pillars in one day. Is this stoning of his correct or does he have to keep the sequence of stoning for the days, doing each day individually, until he completes stoning for the three days? We hope for some clarification of that along with mentioning the evidence.

A Stoning the pillars is from the obligations of the *Hajj*. It is obligatory on the day of the *'Eid* and the three days of *At-Tashreeq* for whoever is not in a hurry to leave. It is obligatory for the first two days of *At-Tashreeq* for the person who is in a hurry

to leave. He stones on each day after midday. This is based on the action of the Prophet ﷺ and his statement:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

It is not permissible to perform the stoning of the pillars before its time. In reference to delaying the stoning, that is permissible if there is an urgent need to do so, such as crowding, according to a group of the people of knowledge. This is based on an analogy with the shepherds, because the Prophet ﷺ allowed them to combine the stoning for two days on the second day of them, which is the 12th, and to do it in sequence with the intentions. The first is for the day of the *'Eid*, then he stones for the first day, and then the second day. If he is not in a hurry to leave he stones for the third day, and the Farewell *Tawaf* is performed after that. And Allâh knows best.

Ash-Shaykh Ibn Baz

The ruling on whoever stones the Pillars at One Time

Q I performed *Hajj* with my father when I was 17 years old and it was the obligatory *Hajj*. At that time I was ignorant and I did not know anything about *Hajj*. I went with my father to stone the pillars. Then, my father took all of my stones and threw them all together (at one time). Is my *Hajj* correct or not? Please benefit me with an answer, and may Allâh benefit you.

A If your father threw the seven stones all at one time, you must slaughter an animal, which is a seventh of a camel or a seventh of a cow or a sheep. The sheep should be a year-old or a two-year-old goat and it should be slaughtered in Makkah and distributed among the poor people of the *Haram*. This is

[1] Muslim no. 1297 and Al-Bayhaqi 5:125.

because stoning the pillars during *Hajj* is an obligation from the obligations of *Hajj*. It is obligatory to stone the pillars, throwing the seven pebbles one by one. If the *Hajj* pilgrim throws them all with one throw, that only counts as one stone. Your *Hajj* is correct and you do not have to repeat it, however some deficiency occurred in it that may be made up for by slaughtering an animal as mentioned. If you are easily able to perform *Hajj* another time, then that will be considered an optional act. In performing the obligatory *Hajj* and an optional *Hajj* is great virtue and tremendous reward for whoever is able to do so and performs it in the legislated manner. This is due to the statement of the Prophet ﷺ:

«الْحَجُّ الْمَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلَّا الْجَنَّةُ»

"There is no reward for Al-Hajjul-Mabrur (the blessed and accepted Hajj that is performed properly) other than Paradise."[1]

The person who is unable to stone the pillars, like the sick person, the extremely old person, the woman who is unable to reach the pillars and those similar to them, it is permissible for him to appoint someone else to stone for him. This is due to Allâh's Statement:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able." [2]

What is obligatory upon all of the Muslims, whether males or females, is to seek understanding of the religion and to know the laws of whatever Allâh has made obligatory upon them, such as prayer, *Az-Zakah*, fasting, *Hajj* and other things. This is because Allâh created the men and jinns for His worship, and there is no way to carry out worship of Him except by learning and seeking to understand the religion. Indeed, it has been authenticated from the Messenger of Allâh ﷺ that he said:

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[1] Al-Bukhari no. 1773 and Muslim no. 1349.
[2] *At-Taghabun* 64:16.

«مَنْ يُرِدِ اللهُ بِهِ خَيْرًا يُفَقِّهْهُ فِي الدِّينِ»

"Whoever Allâh wants good for, He gives him understanding of the religion."[1]

And he ﷺ said:

«مَنْ سَلَكَ طَرِيقًا يَلْتَمِسُ فِيهِ عِلْمًا سَهَّلَ اللهُ لَهُ طَرِيقًا إِلَى الْجَنَّةِ»

"Whoever traverses upon a path by which he seeks to acquire knowledge, Allâh will make easy for him a path to Paradise because of it."[2]

May Allâh help all of the Muslims to gain beneficial knowledge and act according to it. Verily, He is the Best Who is beseeched.

Ash-Shaykh Ibn Baz

The ruling on whoever stones the Pillars before Midday on the second Day

Q What is obligatory upon whoever stoned the pillars during the morning time on the second day of the *'Eid*, then after that he found out that the time for stoning is after *Az-Zuhr*?

A Whoever stoned the pillars on the second day of the *'Eid* during the morning before midday, he must repeat its stoning after midday on that day. If he does not find out about his mistake until the third or fourth day (i.e., the 12th or 13th of Thul-Hijjah), he repeats its stoning after midday on the third or fourth day. He does this stoning after midday before he stones for that day during which he is reminded (of his mistake). If he does not find out until after sunset on the fourth day, he has not stoned and therefore he must slaughter an animal at the *Haram* and give it as food to the poor.

The Permanent Committee

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[1] Al-Bukhari no. 71 and Muslim no. 1037.
[2] At-Tirmithi no. 2646.

The ruling on whoever reverses the Order of stoning the Pillars

A relative of mine came to perform the obligation of *Hajj* during the year 1406 AH. During the first day of stoning the pillars, he reversed the order of stoning from stoning the smallest pillar, the middle pillar and the largest pillar, and he did the opposite in the stoning. Then he came to know of this mistake on the second day, and he corrected his procedure of stoning on the second and third days. However, he did not stone again for the first day or make any expiation until he completed all of the *Hajj* rites and returned to his homeland. Now he sent a question about what is due on him in reference to this mistake, since the views of the people he has asked differ.

He must slaughter an animal, which is a seventh of a camel or a seventh of a cow or a sheep that is a year-old or a two-year-old goat. It is to be slaughtered in Makkah and distributed among the poor people of the *Haram*. This is because he knew the ruling during the days of stoning and he did not repeat the stoning in the proper manner. Indeed it has been confirmed from Ibn 'Abbas ﷺ that he said: "Whoever abandons a *Hajj* rite or forgets it, he must shed blood (i.e. sacrifice an animal)."

This statement has the ruling of being from the Prophet ﷺ because it would not be said from mere opinion. Also, it is not known that any of the Companions ﷺ opposed it. And success is from Allâh.

Ash-Shaykh Ibn Baz

Whoever stays later in Mina, it is obligatory on him to spend the Night and stone the Pillars after Midday

Q What is the ruling on whoever stays two days after the *'Eid* and spends the night for the third day (in Mina) - is it permissible for him to stone the pillars after *Fajr* time begins or after sunrise if he has some difficult circumstances?

A Whoever remains in Mina until the night catches him (i.e., sunset) for the 13th night (i.e., on the night of the 12th of Thul-Hijjah), he must spend the night and stone the pillars after midday. It is not permissible for him to stone the pillars before midday, just like the previous two days. He may not stone the pillars during these days until after midday, because the Messenger ﷺ remained in Mina on the 13th day and he did not stone until after midday, and he said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

Ash-Shaykh Ibn Baz

The ruling on whoever leaves off stoning on the 12th Day and spending the Night in Mina on the 12th Night

Q I was with my husband while performing the obligation of *Hajj* for the second time. My children were in Ar-Riyadh. After we stoned the pillars the second time (i.e., on the 11th of Thul-Hijjah), we went to Makkah, completed our *Hajj* and traveled to Ar-Riyadh, as we were concerned with the condition of the children. We appointed one of our relatives to stone the pillars for us. Is this permissible and

[1] Muslim no. 1279 and Al-Bayhaqi no. 5:125.

what is obligatory upon us?

A Both of you must make repentance to Allâh, because you left off the obligation of stoning on the 12th day, spending the night (in Mina) on the 12th night (i.e., the 11th of Thul-Hijjah), and making the Farewell *Tawaf* in its time. This is because the time of the Farewell *Tawaf* is after finishing the stoning. Each of you must slaughter two animals that are suitable for sacrifice. They are to be slaughtered in Makkah and distributed among the poor people of the *Haram*. This is for leaving off the stoning on the 12th day and for leaving off performing the Farewell *Tawaf*, because it is obligatory and you all made it before its time. You all must also give charity with whatever Allâh makes easy for you for leaving off spending the 12th night (i.e., the night of the 11th of Thul-Hijjah). May Allâh pardon you and us.

Ash-Shaykh Ibn Baz

He stoned on the 11th Day, then he performed the Farewell *Tawaf* and traveled

Q What is the ruling on whoever stoned the pillars on the 11th day, then he performed the Farewell *Tawaf* and traveled?

A If he stoned on the 11th day, then made the Farewell *Tawaf* at the House (the *Ka'bah*) and then he traveled, he has left off two obligations. They are the stoning of the pillars on 12th day and spending the night in Mina during the night before it (i.e., on the night of the 11th). Therefore, he must offer two ransoms (of atonement) according to what many of the people of knowledge have said. He is to sacrifice two animals in Makkah and give them (i.e., their meat) away in charity there.

Ash-Shaykh Ibn 'Uthaimin

How to stone the Pillars for whoever delays it until the last of the Days of *At-Tashreeq* due to Illness or Old Age

If the *Hajj* pilgrim delays the stoning until the last of the days of *At-Tashreeq* due to illness or old age and fear of the crowding, does he stone the pillar of *Al-'Aqabah* and the other pillars during one standing, or does he have to throw for each day exactly in its order? Meaning, does he stone for the first day, then start over from the beginning for the second day and likewise for the third day, even if there is difficulty in that?

He stones the pillar of *Al-'Aqabah* first. Then he stones the pillars of the 11th day, then the pillars of the 12th day, then the pillars of the 13th day if he has not left in a hurry. And the Sunnah is that each day should be done its time according to one's ability.

The Permanent Committee

Appointing someone is correct due to a legislated Justification

Verily, both my mother and my two sisters appointed me to stone the pillars for them and that was due to fear of the intense crowding. Is that correct? May Allâh reward you with good.

Appointing someone (to do the stoning) is correct if the women are unable to stone due to the severe crowding or if they are ill or they have some other justification from the legislated justifications.

Ash-Shaykh Ibn Baz

The Ransom of Atonement

The Ransom of Atonement for doing a prohibited Act, its Types and the Repetition of a prohibited Act

Q What is the ransom of atonement for *Hajj*? What are its types? What is the ruling if the person repeats a prohibited act of one particular type?

A The ransom of atonement is a ransom for doing a prohibited act from the acts that are prohibited during *Ihram*. This ransom is of different types. **The first type** is that the person has a choice between slaughtering a sheep or feeding six poor people or fasting three days. This is the ransom for shaving the hair — even if it is only three strands of hair, clipping the nails, wearing seamed garments, using perfume and covering the head. Whoever offers a ransom of atonement with any of these things, then that is sufficient. **The second type** is the compensation for hunting a game animal. Hence, the person is given the choice between slaughtering an animal like it from the livestock animals or he may estimate its value in food and give that amount of food in charity or he may fast its equivalent in days. This is by fasting one day for each *Mudd* (about two-thirds of a kilogram) of food. **The third type** is the ransom of *At-Tamattu'* and *Al-Qiran* (i.e., for combining *Hajj* with *'Umrah*). This requires him to slaughter an animal if he is able. If he is not able he must fast 10 days — 3 days in Makkah and 7 days when he returns to his homeland. **The fourth type** is the slaughtering of an animal for compensation if he leaves off something of the obligatory acts of *Hajj*, like spending the night in Muzdalifah, stoning the pillars, shaving the head, making the Farewell *Tawaf* and assuming *Ihram* from the *Miqat*. So, whoever leaves off any of these things, he must slaughter an animal for the poor people of the *Haram*. If he repeats a prohibited act of the same type (more than once), he only has to offer one ransom of atonement. An example of this would be him shaving some of

his hair every day or covering his head a number of times. However, if he offers the ransom of atonement for the first violation, then he repeats it again, he must offer a second ransom of atonement.

Ash-Shaykh Ibn Jibreen

The ruling of whoever cut a Tree in the *Haram* (Sacred Area of Makkah)

Q What is obligatory upon whomever cuts a tree in the *Haram* and what are the boundaries of the *Haram* of Makkah?

A Whoever cuts a large tree in the *Haram* of Makkah, he must slaughter a camel, and whoever cuts a small tree, he must slaughter a sheep. If he cuts grass, he must give its value (in charity). It is permissible to cut branches that extend onto the path and bother those who pass. It is also permissible to cut whatever is grown by humans. The sanctuary of Makkah has known boundaries. At their ends clear signs have been erected that are present on the roads, like the one that is between Muzdalifah and 'Arafat, and another that is on the road to Jeddah near Ash-Shumaysi, which is the place of Al-Hudaibiyyah, and others.

Ash-Shaykh Ibn Jibreen

The Obligation of sacrificing an Animal is not lifted from whoever leaves off an Obligation

Q Is the obligation of sacrificing an animal lifted from the ignorant person who does not know a ruling or the person who left off one of the obligations of *Hajj* due to forgetfulness, like spending the night (at Mina), stoning, and shaving the head, or is the sacrifice mandatory? Likewise, what about the situation of the person who committed one of the prohibitions of *Ihram*?

A The obligation of sacrificing an animal is lifted from the ignorant person or the person who forgot and committed one of the prohibitions of *Ihram*. However, the obligations is not lifted from whoever left off one of the obligations of *Hajj* or *'Umrah* due to ignorance or forgetfulness. This is due to the statement of Ibn 'Abbas ﷺ: "Whoever leaves off a *Hajj* rite or forgets it, then he must slaughter an animal." This is also due to the *Hadith* of the man who wore a cloak that was perfumed with fragrance while he was performing *'Umrah*.

The Permanent Committee

Being Restricted from Performing *Hajj* or *'Umrah* (*Al-Ihsar*)

He assumed *Ihram* from the *Miqat* then something prevented him

Q What is the ruling on whoever assumed *Ihram* from the *Miqat* for *Hajj* or *'Umrah*, then something prevented him from performing *Tawaf* and *Sa'y*?

A He remains in his *Ihram* if he hopes that this thing that is preventing him will be removed soon. This is like if the thing preventing him is a flood or an enemy that he may be able to negotiate with to enter (Makkah) and perform *Tawaf* and *Sa'y*. In this case, he should not be hasty in removing his *Ihram*. This is like what happened to the Prophet ﷺ and his Companions when they remained the period of a day in Al-Hudaibiyyah for negotiations with the people of Makkah, so that perhaps they would allow them to enter and perform *'Umrah* without fighting. When they found that the matter would not be easy (i.e., that they would not enter) except by war, and the people were determined to prevent them, the Prophet ﷺ and his Companions sacrificed their animals, shaved their heads and removed their *Ihram*.

This is what is legislated for the person who is prevented. That is

that he should wait, and if it is possible for the restriction to be removed he continues in his *Ihram* and performs his *Hajj* rites. If it is not possible to remove the restriction and the situation becomes difficult for him, he removes the *Ihram* for this *'Umrah* or *Hajj* if he was performing *Hajj*, and there is nothing due on him other than removing *Ihram* by shedding blood and shaving or cutting the hair. This is as the Prophet ﷺ and his Companions did on the day of Al-Hudaibiyyah. By this he removes his *Ihram* as Allâh said:

﴿فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ ۖ وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحِلَّهُ﴾

"But if you are prevented (from completing Hajj or 'Umrah), sacrifice a Hady (animal, i.e., a sheep, a cow or a camel) such as you can afford, and do not shave your heads until the Hady reaches the place of sacrifice."[1]

Hence, the shaving of the head is after the sacrifice, and the cutting of the hair can take the place of shaving the head. In this way, he should sacrifice first, then shave the head or cut the hair, then remove the *Ihram* and return to his land.

Ash-Shaykh Ibn Baz

He performed *Hajj* and did not stipulate a Condition, then an Obstacle arose in his Path

Q Someone crosses the *Miqat* (place of entering *Ihram*), reciting the *Talbiyyah* for *Hajj* and *'Umrah*, and he does not stipulate a condition. Then, an obstacle arose, such as sickness and something similar to it, which prevents him from completing his rites, what is he required to do?

A This is the one who is prevented (*Muhsar*), if he did not stipulate a condition (at the time of entering *Ihram*, to excuse him if he is prevented from completing the rites by sickness etc.), and then something happens to him which

[1] *Al-Baqarah* 2:196.

prevents him from completing the rites. If it is possible to be patient then he should do so, perhaps the effect of what happened to him will cease, thus enabling him to complete (the rites of *Hajj* or *'Umrah*). If he is not able to do that, then he is considered as one who is prevented (*Muhsar*) according to the correct opinion. Allâh says, concerning the one who is prevented:

﴿فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ﴾

"But if you are prevented (from completing Hajj or 'Umrah), sacrifice a Hady (animal, i.e., a sheep, a cow or a camel) such as you can afford ..."[1]

The correct opinion is that being prevented can occur from the enemy (preventing you) or by other than the enemy. He should sacrifice an animal, shave or cut his hair and remove the *Ihram*. This is the ruling concerning the one who is prevented. He must slaughter a sacrificial animal at the place where he has been held up, no matter if it is in the *Haram* (sacred precinct) or outside of it. The meat should be given to the poor in his place (where he is held up), even if it is outside of the sacred precinct. If it is not possible to give it to anyone in that place, it should be transferred to the poor people in the sacred precinct, or the poor in the surrounding area, or the poor in some of the villages. Then, he should shave or cut his hair and remove the *Ihram*. If he is not able to slaughter a sacrificial animal, then he should fast ten days and then shave or cut his hair and remove the *Ihram*.

Ash-Shaykh Ibn Baz

If a *Hajj* Pilgrim is prevented (from completing the Rites) after entering *Ihram*

Q If a Muslim decides to perform *Hajj* and after entering *Ihram* he is unable to perform his *Hajj*, what is he

[1] *Al-Baqarah* 2:196.

required to do?

If someone is prevented from completing the *Hajj*, after having entered *Ihram*, due to sickness or something else, it is permissible to remove the *Ihram* after slaughtering a sacrificial animal and then shaving his head or cutting his hair. This is due to the Saying of Allâh:

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّىٰ يَبْلُغَ الْهَدْيُ مَحِلَّهُ﴾

"And perform properly (i.e., all the ceremonies according to the ways of Prophet Muhammad ﷺ), the Hajj and 'Umrah (i.e., the pilgrimage to Makkah) for Allâh. But if you are prevented (from completing Hajj or 'Umrah), sacrifice a Hady (animal, i.e., a sheep, a cow or a camel) such as you can afford, and do not shave your heads until the Hady reaches the place of sacrifice."[1]

This is also because when the Prophet ﷺ was prevented from entering Makkah on the day of Al-Hudaibiyyah, he slaughtered his sacrificial animal, shaved his head and removed his *Ihram*, and he commanded his Companions to do the same. However, if the person who is prevented said when he assumed *Ihram*: "If something prevents me, then my place of removing *Ihram* is wherever You (Allâh) stop me," he removes his *Ihram* and nothing is due on him. He is not required to sacrifice an animal or anything else. This is due to what is confirmed in the two *Sahihs* from 'A'ishah ﵂ that Dhuba'ah bint Az-Zubair bin 'Abdul-Muttalib ﵂ said: "O Messenger of Allâh, verily, I want to perform *Hajj* but I am ill." So, the Prophet ﷺ said to her:

«حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ حَبَسْتَنِي»

"Perform Hajj and set a condition (saying): 'My place of removing Ihram is where You (Allâh) stop me.'"[2]

Ash-Shaykh Ibn Baz

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[1] *Al-Baqarah* 2:196.

[2] Al-Bukhari no. 5089 and Muslim no. 1207.

The ruling on whoever is prevented from performing *Hajj* before assuming *Ihram*

Q What is the ruling if the person sets out to perform *Hajj* or *'Umrah* and he is prevented from going forth on the way to *Hajj* by a group or band of people who are breaking the law (i.e., robbers, kidnappers, etc.), for example?

A Whoever is prevented from performing *Hajj* by an enemy or those who commit aggressions on the road, must fall into either the category of that being before he assumes *Ihram* or after it. If the Muslim sets out to perform *Hajj* or *'Umrah* and an enemy prevents him from reaching Makkah before he assumes *Ihram*, he returns to his family (i.e., his homeland) and nothing is due on him and he is rewarded for his intention. He must make haste in performing the obligation of *Hajj* if the road is safe to do so. If he sets out to perform *Hajj* or *'Umrah*, then he reaches the *Miqat* and assumes *Ihram*, then enemies prevent him or hinder him from reaching the House (the *Ka'bah*), then he must slaughter a sheep and then remove his *Ihram* like the person who is prevented. This is the person who is mentioned in the Statement of Allâh, the Most High:

﴿فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ﴾

"But if you are prevented (from completing Hajj or 'Umrah), sacrifice a Hady (animal, i.e., a sheep, a cow or a camel) such as you can afford."[1]

If he cannot slaughter a sheep, he remains in his *Ihram* and fasts 10 days and then removes his *Ihram*. If he stipulated a condition when he assumed *Ihram* by saying: "If something prevents me, then my place of removing *Ihram* is wherever You (Allâh) stop me," nothing is due on him if he is prevented. Rather, it is permissible for him to remove his *Ihram* due to being restricted without having to sacrifice an animal.

Ash-Shaykh Ibn Jibreen

[1] *Al-Baqarah* no. 2:196.

He assumed *Ihram* for *Hajj*, then he was prevented from entering Makkah

Q Whoever assumes *Ihram* for *Hajj* from the *Miqat*, then he travels until he comes near to Makkah, but he is prevented by the Inspection Center (i.e., the police on the road), because he is not carrying a *Hajj* permit card, what is the ruling?

A The ruling in this situation is that he is prevented since it is not possible for him to enter. Therefore, he slaughters an animal in the place where he is restricted from entering and he removes his *Ihram*. If this was to be his obligatory *Hajj*, he performs it later (i.e., the following year, etc.) as the first *Hajj* and not to make up for *Hajj*. If it was not the obligatory *Hajj*, nothing is due upon him according to the correct opinion. This is because the Prophet ﷺ did not command those who were prevented from performing *'Umrah* during the expedition of Al-Hudaibiyyah to make up for that *'Umrah* that they were prevented from performing. Thus, there is nothing in the Book of Allâh or the Sunnah of His Messenger ﷺ that proves the obligation of making up for the act (of *Hajj* or *'Umrah*) for one who was prevented. Allâh said:

﴿فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ﴾

> *"But if you are prevented (from completing Hajj or 'Umrah), sacrifice a Hady (animal, i.e., a sheep, a cow or a camel) such as you can afford."*[1]

Allâh did not mention anything other than this. The *'Umrah* of *Al-Qadha'* was called that because the Prophet ﷺ demanded that from the Quraysh, meaning that he made a pact with them to allow that, and it is not from the meaning of word *Al-Qadha'* that means to make up for what one has missed. And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

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[1] *Al-Baqarah* no. 2:196.

The ruling on whoever has an Accident on his Way to 'Arafat, so he breaks his *Hajj* and returns to his Homeland

I set out on the 7th day (of Thul-Hijjah) to the Sacred House and I performed the rites of *'Umrah*. Then, I set out to Mina and we offered the five obligatory prayers there. After that we set out to 'Arafat and our car turned over with us in it. We were severely affected (by the accident) and I had a man with me who was my friend, who was performing *Hajj* for his mother, and he died in the accident. Thus, I went back from the place of the accident during the 9th night of Thul-Hijjah. Therefore, what is required?

What is obligatory on you, since you assumed *Ihram* for *Hajj*, is that you continue with it until you complete all of its rites. You should not abandon it due to the accident - that Allâh saved you from - and anything similar to it. This is not an excuse for you to abandon continuing with the *Hajj*. As long as you returned (to your land) before standing at 'Arafat, and making *Tawaf* around the House (the *Ka'bah*) and performing what Allâh has made obligatory upon you, you must seek Allâh's forgiveness and repent to Him for what you did. You must also slaughter a sheep that is suitable for sacrifice. This must be done in Makkah at any time and you should distribute the meat among the poor. You should not eat from the meat of the sacrifice and you should not give any of it away as a gift to a wealthy relative. You should also perform *Hajj* during the next *Hajj*, if Allâh wills. And success is from Allâh. May Allâh send blessings and peace upon Muhammad and his family.

The Permanent Committee

The Laws of the Sacrificial Animal

The People of Makkah are not obligated to sacrifice an Animal

Q Are the people of Makkah who assume *Ihram* for *Hajj* only (i.e., *Al-Ifrad*) obligated to sacrifice an animal? Also, is it correct for them to perform *Hajjut-Tamattu'* or *Hajjul-Qiran*? We would like some clarification concerning this along with mentioning the evidence.

A *At-Tamattu'* and *Al-Qiran* are correct for the people of Makkah and other than them. However, the people of Makkah are not required to sacrifice an animal. The sacrifice of an animal is only obligatory upon other people who come to Makkah from other distant places, who assume *Ihram* for *At-Tamattu'* or *Al-Qiran*. This is due to the Statement of Allâh:

﴿فَمَن تَمَتَّعَ بِٱلْعُمْرَةِ إِلَى ٱلْحَجِّ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْيِ ۚ فَمَن لَّمْ يَجِدْ فَصِيَامُ ثَلَٰثَةِ أَيَّامٍ فِى ٱلْحَجِّ وَسَبْعَةٍ إِذَا رَجَعْتُمْ ۗ تِلْكَ عَشَرَةٌ كَامِلَةٌ ۗ ذَٰلِكَ لِمَن لَّمْ يَكُنْ أَهْلُهُۥ حَاضِرِى ٱلْمَسْجِدِ ٱلْحَرَامِ ۚ وَٱتَّقُوا۟ ٱللَّهَ وَٱعْلَمُوٓا۟ أَنَّ ٱللَّهَ شَدِيدُ ٱلْعِقَابِ ﴿١٩٦﴾﴾

"So, whoever performs 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e., Hajjut-Tamattu' and Al-Qiran), he must slaughter a Hady such as he can afford, but if he cannot afford it, he should observe Sawm (fasting) three days during the Hajj and seven days after his return (to his home), making ten days in all. This is for him whose family is not present at the Sacred Mosque (i.e., non-resident of Makkah). And fear Allâh much and know that Allâh is Severe in punishment."[1]

Ash-Shaykh Ibn Baz

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[1] *Al-Baqarah* no. 2:196.

Is it permissible for the Person who is able to sacrifice an Animal to give Charity with its Value (in Money) and fast?

In reference to this sacrifice that only a small amount of benefit is gained from, isn't it better that the *Hajj* pilgrim who is able to sacrifice an animal, fasts? Then, when he returns to his country he can give the value of the animal (in money) to the poor people of his land, and he can complete whatever remains of the ten days of fasting. What is your opinion about this? May Allâh reward you.

It is known that the Islamic laws are received from Allâh and His Messenger ﷺ and not from the opinions of people. Allâh legislated for us during *Hajj*, if the *Hajj* pilgrim is a *Mutamatti'* or *Qarin* pilgrim, that he must sacrifice an animal. If he is unable to sacrifice an animal, he fasts 10 days — 3 days during the *Hajj* and 7 days when he returns to his family (i.e., his homeland). It is not for us to legislate anything from ourselves. Rather, it is obligatory to correct whatever happens of sacrificial meat spoiling. This is by the authorities being informed so that the meat can be issued and distributed among the poor and needy. Attention should be given to the places of slaughtering and making sure that they are large enough for the people, and increasing the number of such places in the *Haram* area so that the *Hajj* pilgrims can slaughter in times and places that are comfortable. It is a duty upon the authorities to bring the meat to those who deserve it or place it in cool places so that it can be distributed later to the poor people in Makkah and others. In reference to changing the system of the sacrifice to the person fasting while he is able to slaughter an animal or him buying an animal in his land to slaughter for the poor or distributing its value (in money), this is new legislation. This is something that is not permissible for the Muslim to do, because the Legislator is Allâh. It is not the right of anyone to legislate. Allâh says:

﴿أَمْ لَهُمْ شُرَكَاؤُا شَرَعُوا لَهُم مِّنَ الدِّينِ مَا لَمْ يَأْذَن بِهِ اللَّهُ﴾

"Or do they have partners who have legislated for them from the religion that which Allâh has not allowed?" [1]

Therefore, it is obligatory upon the Muslims to submit humbly to the Law of Allâh and implement it. If some shortcoming occurs from the people in implementing the Law, it is obligatory to correct that and give attention to it. This is like what occurs regarding the sacrifice in that some of the animals are slaughtered and there is no one to eat the meat. This is a shortcoming and a mistake that must be corrected by the authorities and the people. So, every Muslim should be concerned about his sacrifice, making sure that it is distributed to the poor or he eats it or gives it as a gift to some of his brothers. In reference to leaving it (the meat) in places where no benefit is gained from it, that is not appropriate (i.e., he is not accredited for it).

The authorities must help in this by carrying the meat to the poor during its time of slaughtering or they must carry it to places where it can be cooled and benefit can be derived from it later without the meat spoiling.

This is what is obligatory upon the authorities, and they - if Allâh wills - are carrying this out. Also, the people of knowledge still are giving advice about this and reminding the authorities about this matter.

We ask Allâh to help everyone to do that which contains comprehensive benefit for the Muslims in this regard and other matters.

Ash-Shaykh Ibn Baz

[1] *Ash-Shura* 42:21.

The ruling concerning whoever slaughtered his sacrificial Animal and then left it

What is the ruling concerning whoever slaughtered the sacrificial animal and then left it? Does that suffice him or not?

It is the duty of whoever slaughters a sacrificial animal to deliver it to those who deserve it. It is not permissible for him to slaughter it and leave it. Rather, if he took even a little bit of it and ate from it and gave the rest in charity, that will suffice him.

Ash-Shaykh Ibn 'Uthaimin

He slaughtered his sacrificial Animal outside of the *Haram* Area

The *Hajj* pilgrim slaughtered his sacrificial animal at 'Arafat during the days of *At-Tashreeq* and he distributed among those who were there. Is that permissible and what must he do if he was ignorant of the ruling or if he did it intentionally? If he slaughtered his sacrificial animal in 'Arafat and then distributed its meat inside of the *Haram* area, is that permissible? What is the place where it is not permissible to slaughter a sacrificial animal except in it? Thank you.

It is not permissible to slaughter the sacrificial animal of *At-Tamattu'* and *Al-Qiran* except in the *Haram* area. If the person slaughters it somewhere other than the *Haram* area, like 'Arafat, Jeddah and other places, then that does not suffice him, even if he distributed its meat in the *Haram*. He must slaughter another sacrificial animal in the *Haram* area. It makes no difference whether he did so due to ignorance or knowingly. This is because the Prophet ﷺ slaughtered his sacrificial animal in the *Haram* and he said:

«خُذُوا عَنِّي مَنَاسِكَكُمْ»

"Take your Hajj rites from me."[1]

Likewise, his Companions did the same thing. They only slaughtered their sacrificial animals in the *Haram* area, in following the Prophet ﷺ.

Ash-Shaykh Ibn Baz

Whoever slaughters his sacrificial Animal before the Day of *'Eid* due to Ignorance

Q We assumed *Ihram* and we were a group performing *Hajjut-Tamattu'*. So, we performed *'Umrah* and removed our *Ihram*. Then some of the people suggested that we should slaughter a sacrificial animal and distribute it in Makkah. Thus, the slaughter was done in Makkah. Then, after this we learned that the slaughter is not to be until after stoning the pillar of Al-'Aqabah. I knew that and I told them to delay the slaughter until the day of the Sacrifice or after it. However, they went ahead with the slaughter one day after we had arrived and performed *'Umrah*. So, what is the ruling on that and what are we required to do in this situation?

A Whoever slaughtered the sacrifice of *'Umrah* or *At-Tamattu'* before the *'Eid*, that does not suffice him, because the Messenger ﷺ and his Companions did not slaughter until the days of Sacrifice. They came performing *Hajjut-Tamattu'* on the 4th day of Thul-Hijjah and the sheep and camels that were with them remained pinned in their places until the day of Sacrifice came. If slaughtering them was permissible before that, the Prophet ﷺ and his Companions ﷺ would have done it in a hurry during the four days that they stayed in Makkah before going out to Mina. This is because the people were in need of meat at that time. However, since the Prophet ﷺ did not slaughter, and neither did his Companions, until the day of Sacrifice came, that proves that it is not

[1] Muslim no. 1297 and Al-Bayhaqi no. 5/125.

sufficient to do so before that. It also proves that the person who slaughters before the day of Sacrifice has opposed the Sunnah and come with a new legislation. Therefore, it is not acceptable, just like the person who prays or fasts before its time. The fast of Ramadhan is not correct before its time nor is the prayer that is offered before its time, and so forth.

Thus, the result is that this act of worship was performed before its time and therefore it does not suffice. The person must repeat this slaughter if he is able. If he is not able, he must fast 3 days during the *Hajj* and 7 days when he returns to his family (i.e., his homeland). Thus, it is 10 days all together which take the place of the slaughter.

Ash-Shaykh Ibn Baz

The ruling concerning whoever slaughtered the sacrificial Animal of *At-Tamattu'* and *Al-Qiran* before the *'Eid*

Q What does his eminence think about whoever slaughtered the sacrificial animal of *At-Tamattu'* or *Al-Qiran* before the day of the *'Eid*, sighting as proof the statement of some of the scholars of the *Mathhabs* that this is permissible?

A Those who slaughter the sacrificial animal of *At-Tamattu'* or *Al-Qiran* before the *'Eid*, blindly following whoever said that, there is nothing due on them. However, they should be informed about this in the future (that it is a mistake).

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever left off sacrificing an Animal due to Ignorance

Q A man performed *Hajj* and *'Umrah* together and he performed all of the rites of *Hajj*. During the days of Mina, he slaughtered an *Adhha* sacrifice (i.e., for *'Eidul-*

Adhha), but due to his ignorance he did not slaughter a sacrificial animal for *Hajj* until the days of Mina ended. Does he have to slaughter a *Hady* animal (for *Hajj*)?

A If the matter is as you have mentioned, he must slaughter a sacrificial animal for *Hajjul-Qiran* in Makkah. He may eat from it and he may appoint a trustworthy person to slaughter for him in Makkah Al-Mukarramah. That which he slaughtered with the intentions of the *Adhha* sacrifice does not suffice him.

The Permanent Committee

A *Mutamatti'* Pilgrim lost his Money and his Wife was with him

Q I assumed *Ihram* which requires the sacrifice of an animal along with it, but my money came up missing and I lost all of my wealth that was with me. So, what is my ruling in this situation, while knowing that my wife was also accompanying me?

A If the person assumed *Ihram* for *'Umrah* during the days of *Hajj* as a *Mutamatti'* pilgrim, combining the *'Umrah* with *Hajj*, or he assumed *Ihram* for *Hajj* and *'Umrah* together at the same time as a *Qarin* pilgrim, he must slaughter an animal. The animal is a sheep, which is either a two-year-old goat or a year-old sheep, or a seventh of a camel or a seventh of a cow. The animal is to be slaughtered during the days of the Sacrifice and then the person gives the meat to the poor and needy. He eats from it and he gives some of it away in charity. This is what is obligatory upon him. If he is unable to do that due to loss of his spending money or his poverty or his difficult circumstances or the small amount of spending money that he has, then he fasts 3 days during the *Hajj* and 7 days when he returns to his homeland. This is as Allâh commanded. It is permissible for him to fast the 3 days on the 11th, 12th and 13th. This is an exception to the prohibition of fasting these days, except for the

person who has lost his sacrificial animal, for verily he fasts these 3 days. If the person performs this fasts before the day of *'Arafah*, that is better if the money was lost prior to that, and he fasts the 7 days in his homeland. And Allâh knows best.

Ash-Shaykh Ibn Baz

A *Hajj* Pilgrim lost his Money and he is not able to fast, so what must he do?

Q I went this year to perform the obligation of *Hajj* with the intention of performing *Hajj* and *'Umrah* together as a *Qarin* pilgrim. After performing all of the rites of *Hajj* and *'Umrah* up until the day of the Sacrifice, I was stricken with the loss of a sum of money there. I do not know whether it was lost or did someone steal it. The amount of money was 450 Saudi riyals. Due to that I was not able to slaughter an animal, so I made my intention to fast. Then, during the time I made intention to fast, I came down with the flu (influenza). So, I went to the hospital in Makkah and I was given the necessary medicine. I was not able to fast and I returned to the city of Ar-Riyadh boarding a GMC truck for which the fare was paid in advance before going according to the agreement and conditions. When I arrived (in Ar-Riyadh) my illness and weakness became worse, so I went to a clinic, had a complete checkup and was given the necessary medication. Thus, I was not able to fast. After I recover from the sickness does it benefit (me) to fast and what should I do, knowing that my intention was to sacrifice an animal, but this was the Decree and Preordainment of Allâh? I hope from you that you can give me a ruling regarding my case, and may Allâh make you all a source of help for the religion of Islam.

A If the matter is as you have mentioned, in that you assumed *Ihram* for *Hajj* and *'Umrah* together as a *Qarin* pilgrim, and you performed them, and that your money was lost and you had nothing to buy an animal with, you must fast 3

days during *Hajj* and 7 days when you return to your land or wherever you live. Since you mentioned that you had a continuous illness that lasted until you returned to Ar-Riyadh and you were not able (to fast), you must fast 10 days where you live in Ar-Riyadh or any other place whenever you are able to do so. There is nothing due on you other than this. May Allâh send blessings and peace upon our Prophet Muhammad, his family and Companions.

The Permanent Committee

The Time at which the slaughtering of sacrificial Animals of *At-Tamattu'* ends during the *Hajj*

When does the time of slaughtering the sacrificial animal for *At-Tamattu'* end and is there any difference of opinion and views concerning limiting the time?

The time of slaughtering the sacrificial animal of *At-Tamattu'* ends at sunset on the 13th day of Thul-Hijjah and it begins when the (time in which the prayer can be performed) has passed on the day of the *'Eid* after the sun rises to the height of a spear. In reference to whether there is a difference of opinion, yes, there is a difference of opinion concerning when it begins and ends. However, the correct view is what we have mentioned. And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

The *Hady* of *At-Tamattu'* and *Al-Qiran*

The Time of the slaughter, its Place, the ruling on replacing it with Charity according to its Value in Money and the Solution for the Problem of the Meat

All praise is due to Allâh alone and may peace and blessings be upon him, whom there is no Prophet after him. To proceed:

Based upon what was decided in the 7th session of the Senior Scholars Board that was held in At-Ta'if during the first half of Sha'ban in the year 1395 AH that the issue of (the *Hady* of *At-Tamattu'* and *Al-Qiran*) be added to the agenda of the 8th session and that research be prepared regarding that — during the 8th session that was held in the city of Ar-Riyadh during the first half of the month of Rabi'uth-Thani during the 1396 AH, the committee reviewed the research that was prepared by the Permanent Committee for Scientific Researches and Religious Verdicts concerning the time of the slaughter, its place and the ruling on replacing the sacrifice with giving charity according to its value and solving the problem with the meat. After exchanging views the following was unanimously decided:

1. It is not permissible to exchange the slaughtering of the sacrificial animal of *At-Tamattu'* and *Al-Qiran* with giving charity in its value (in money). This is due to the evidence of the Book and the Sunnah and the consensus of the scholars that this is prohibited. This is along with the fact that the first goal of the slaughtering of the sacrificial animals is to draw near to Allâh by shedding blood. This is as Allâh said:

﴿لَن يَنَالَ ٱللَّهَ لُحُومُهَا وَلَا دِمَآؤُهَا وَلَٰكِن يَنَالُهُ ٱلتَّقْوَىٰ مِنكُمْ﴾

"Their meat and their blood do not reach Allâh, but the Taqwa (piety and fear of Allâh) from you reaches him." [1]

This is also because from the accepted principles in the *Shari'ah* is closing off the means (to evil) and the view of giving the value (of the slaughter in money) leads to playing with the Islamic law. For example, it may be said: "Give the money that will be spent on *Hajj* instead of performing the *Hajj* due to its difficulty in these times." Another reason is that the benefits are of three types: A benefit that is considered so by consensus (i.e., unanimously, *Al-Ijma'*), the benefit that is rejected by con-

[1] *Al-Hajj* 22:37.

sensus, and the benefit that may be applicable in certain cases (but not by consensus). The opinion allowing giving the value in money (instead of slaughtering) is a rejected benefit due to its opposing the evidences. Therefore, it is not permissible to consider it (as an option).

2. The majority of the council agreed that the days of the slaughtering are 4 - the day of the *'Eid*, and the 3 days after it. It is also permissible to slaughter during the nights of the days of *At-Tashreeq*. This is due to Allâh's Statement:

﴿لِّيَشْهَدُوا۟ مَنَـٰفِعَ لَهُمْ وَيَذْكُرُوا۟ ٱسْمَ ٱللَّهِ فِىٓ أَيَّامٍ مَّعْلُومَـٰتٍ عَلَىٰ مَا رَزَقَهُم مِّنۢ بَهِيمَةِ ٱلْأَنْعَـٰمِ ۖ فَكُلُوا۟ مِنْهَا وَأَطْعِمُوا۟ ٱلْبَآئِسَ ٱلْفَقِيرَ ﴿٢٨﴾ ثُمَّ لْيَقْضُوا۟ تَفَثَهُمْ وَلْيُوفُوا۟ نُذُورَهُمْ وَلْيَطَّوَّفُوا۟ بِٱلْبَيْتِ ٱلْعَتِيقِ ﴿٢٩﴾﴾

"That they may witness things that are of benefit to them (i.e., reward of Hajj in the Hereafter, and also some worldly gain from trade), and mention the Name of Allâh on appointed days (i.e., 10th, 11th, 12th and 13th days of Thul-Hijjah), over the beast of cattle that He has provided for them (for sacrifice). Then, eat thereof and feed therewith the poor who have a very hard time. Then let them complete their prescribed duties (rites of Hajj) and fulfill their vows, and circumambulate the Ancient House (the Ka'bah in Makkah)."[1]

Therefore, verily the completion of the prescribed duties and *Tawafuz-Ziyarah* (i.e., *Al-Ifadhah*) is not before the day of Sacrifice. Since these acts are mentioned in sequence along with the slaughtering of the sacrificial animal, this proves that it is the sacrifice of *Al-Qiran* and *At-Tamattu'*. This is because all sacrifices are not mentioned in a sequence along with these acts. This is also because it is confirmed from the Prophet ﷺ that he slaughtered his sacrificial animal on the day of the *'Eid* and he also slaughtered the sacrifice of *At-Tamattu'* and *Al-Qiran* for his women on the day of the *'Eid*. It is not confirmed from him ﷺ or

[1] *Al-Hajj* 22:28-29.

anyone of his Companions that they slaughtered before the day of the *'Eid* or after the days of *At-Tashreeq*. This is also due to what Sulayman bin Musa reported from Ibn Abu Husain from Jubayr bin Mut'im from the Prophet ﷺ that he said:

«كُلُّ عَرَفَاتٍ مَوْقِفٌ»

"All of 'Arafat is a place of standing."[1]

The *Hadith* continues until the Prophet ﷺ said:

«وَكُلُّ أَيَّامِ التَّشْرِيقِ ذَبْحٌ»

"And all of the days of At-Tashreeq are for slaughtering."[2]

Ibn Al-Qayyim said: "This has been reported from two different routes of transmission that strengthen each other." This is the end of what is intended here.

3. The slaughtering is not specifically for Mina. Rather, it is permissible to slaughter in Makkah and in any place of the *Haram* area. This is due to the Prophet's saying:

«كُلُّ مِنًى مَّنْحَرٌ وَكُلُّ فِجَاجِ مَكَّةَ طَرِيقٌ وَّمَنْحَرٌ»

"All of Mina is a place of slaughtering and all of the paths of Makkah are a valid road and a place of slaughtering."[3]

4. Whatever is left over of the meat in the slaughterhouses, it is upon the government to protect it in a way that will preserve its benefit until it can be distributed among the poor people of the *Haram*.

5. It is permissible for the government to organize the benefit gained from the scraps of sacrificial animals that are left in the slaughter-houses, like the skin, the bones, the wool and so forth. This is to be done according to what the government sees to be a benefit for the poor people of the

[1] Ahmad no. 4/82-2
[2] Ahmad no. 4/82-29
[3] Abu Dawud no. 1937 and Ibn Majah no. 1048.

Haram from that which the people have left behind having no desire for it.

6. The government — may Allâh grant it success — should make sure that there are numerous slaughter-houses in Mina and Makkah and the rest of the *Haram*. They should do this in a way that will make it possible for the *Hajj* pilgrims to slaughter their sacrificial animals with ease and comfort, and benefit from their meat as they wish.

And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Senior Scholars Board

The Laws of *'Umrah*

'Umrah performed with the Wealth of One's Wife

Q A woman did a charitable act of paying for the *'Umrah* expenses of her husband from her own personal wealth like a gift to him. However, the husband was able to perform *'Umrah* from his own personal wealth. Is there anything wrong with this action from the viewpoint of the religion? Please give us a ruling concerning that, and you will be rewarded if Allâh wills.

A There is no harm in that and may Allâh reward her with good for what she did. This is because her act was an aspect of cooperating in the performance of righteousness and piety.

Ash-Shaykh Ibn Baz

Whoever comes to Jeddah to visit a Friend and then he decides to perform *'Umrah*, from where does he assume *Ihram*?

Q I traveled to Jeddah to visit some friends there and after a day of staying there, I decided to perform *'Umrah*. So,

I assumed *Ihram* in Jeddah and I headed to Makkah Al-Mukarramah and performed *'Umrah*. Then, some of my friends said: "Verily, you must sacrifice an animal, for it is obligatory on you to assume *Ihram* from the Valley of *Mahram* (the *Miqat* for those coming from Najd) or on the plane when you reach the *Miqat*." I hope for a beneficial answer for myself and may Allâh give you success.

If you were intending to make *'Umrah* while you were in Ar-Riyadh, then you are required to assume *Ihram* from the *Miqat* or when you reach its distance in the airplane. If you did not do so and you assumed *Ihram* from Jeddah, you must slaughter an animal to compensate for this. However, if you were not thinking about performing *'Umrah* during your travel, and the only reason that caused you to travel was to visit your friend, and you only decided to perform *'Umrah* after you reached Jeddah, then you started the *'Umrah* from there, where you first started thinking to perform it, then there is no sacrifice of an animal due on you. Your *Miqat* is from the place where you decided to perform *'Umrah*, which was Jeddah, as you mentioned. And Allâh knows best.

Ash-Shaykh Ibn Jibreen

The Person who resides in Makkah, if he wants to perform *'Umrah*, he assumes *Ihram* from outside the Sacred Area

Whoever intends to perform *'Umrah* from the people of Makkah who live there and those who come there, from where does he assume *Ihram*? Does he assume *Ihram* from Makkah or from outside the Sacred Area or from the *Miqat* of his land? I hope for acquiring the reward in your beneficial answer along with some explanation of the evidence regarding this.

Whoever wants to perform *'Umrah* from those who live in Makkah, whether he is of those who settled there or those

who have come there temporarily, it is legislated for him to assume *Ihram* from outside of the Sacred Area. This is because when 'A'ishah ﷺ desired to perform *'Umrah* while she was in Makkah during the Farewell *Hajj*, the Prophet ﷺ ordered her to go out of the *Haram* area and he sent her brother 'Abdur-Rahman with her. So, she assumed *Ihram* from At-Tan'im, and it is known today as the Mosques of 'A'ishah. Some of the people of knowledge have gone with the opinion that there is no *'Umrah* for the people of Makkah, because when the Prophet ﷺ conquered Makkah during Ramadhan, he did not perform *'Umrah* from outside of Makkah. The correct view is the first opinion and it is the view of the majority of the people of knowledge due to what preceded from the *Hadith* of 'A'ishah ﷺ. Because the Prophet ﷺ left off performing *'Umrah* from outside of Makkah during the year of the Conquest, this does not prove that this is not legislated. This is because he ﷺ might leave off something due to numerous reasons and while ordering some of his Companions to perform it, so that the *'Ummah* would know that it is legislated. This is just as he ordered Abu Hurairah and Abu Ad-Darda' ﷺ to offer the *Dhuha* prayer while he himself did not always perform it. This is also like him ﷺ informing that the best fast is the fast of Dawud, which is to fast a day and not fast the next day, but he himself did not do that due to reasons that dictated that. Perhaps among those reasons was fear of hardship upon his *Ummah*. Concerning the *Hadith* of Ibn 'Abbas ﷺ that is agreed upon as being authentic, and that alludes to whoever is within the *Mawaqit* assuming *Ihram* for *Hajj* and *'Umrah* from wherever he sets out (i.e., his residence), this is specifically for *Hajj* in regards to the residents of Makkah. In reference to *'Umrah*, what is obligatory is that they (the residents of Makkah) assume *Ihram* for it from outside of the Sacred Area due to the previous *Hadith* of 'A'ishah ﷺ in combining between the two *Hadiths*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on whoever assumed *Ihram* for *'Umrah* and then canceled his *Ihram*

Q My family and I agreed to go for *'Umrah* and on the day that we agreed to go, I assumed *Ihram* for *'Umrah*. However, they changed their minds and changed the date to a later date on another day. Therefore, I removed my *Ihram*. Is there any sin on me for this?

A If you intended to enter *Ihram* for *'Umrah*, you may not change your mind from that and you must complete it, just like the *Hajj*. This is due to the Statement of Allâh:

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ﴾

"And complete the Hajj and the 'Umrah for Allâh."[1]

This is a matter that there is a consensus (*Ijma'*) for among the people of knowledge. Therefore, in the mentioned situation, it was obligatory on you to put back on the clothes of *Ihram* and go to Makkah. You must perform *Tawaf* and *Sa'y*, and shave your head or cut your hair. With that your *'Umrah* will be complete and nothing else is due on you for what you did of using perfume, wearing seamed garments, covering the head and similar things, if you were ignorant. However, if you knew the Islamic ruling, which is that it is not permissible for you to remove your *Ihram* after entering it for *'Umrah* until you perform it, but you were lax in that, you must feed 6 poor people or slaughter a sheep or fast 3 days. This is for your covering your head, wearing seamed garments and using perfume and similar things, like clipping the nails and shaving the head. Each one of these things requires an independent act of expiation, which is one of the three mentioned things. All of these things must be done specifically in the *Haram* of Makkah except for fasting, as it can be done in any place. In reference to the feeding — it is for the poor people of the *Haram*, each one should be given half a *Sa'* of the food of

[1] *Al-Baqarah* 2:196.

the land, such as dried dates or something else. Likewise, the slaughtering is for the poor people of the *Haram* (i.e., the meat goes to them). If you had sex with your wife, you corrupted the *'Umrah* and you must complete it and then make it over again another time from the place of your first *Ihram*. You must also slaughter an animal, which is one sheep that is a year-old or a two-year-old goat. The animal is to be slaughtered in Makkah for the poor. It also suffices to slaughter a seventh of a camel or a seventh of a cow. Along with this you must also repent to Allâh for your laxness regarding this great ritual. May Allâh help you and us to make sincere repentance and may He protect you and us and all the Muslims from the proddings of Satan.

Ash-Shaykh Ibn Baz

The ruling on whoever began *'Umrah* and he did not complete it

Q Allâh decreed that I go to perform *'Umrah* during the past blessed month of Ramadhan. When I began performing *Tawaf*, I could not complete it due to the intense crowding. So, I left Makkah and went back to my city, and that was during the night of the 27th. I ask His Eminence, our Shaykh — may Allâh protect him — about what is the consequence of this upon me, while knowing that I enjoy good health and all praise is due to Allâh. Please benefit me with an answer and may Allâh benefit you.

A Indeed you made a mistake in what you did. May Allâh pardon you and us. It was obligatory on you to complete the *'Umrah* during another time other than the time of the crowding. This is due to Allâh's Statement:

﴿وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ﴾

"And complete the Hajj and the 'Umrah for Allâh." [1]

[1] *Al-Baqarah* 2:196.

Indeed the scholars unanimously agree that it is obligatory upon whoever assumes *Ihram* for *Hajj* or *'Umrah* to complete that and he may not remove his *Ihram* until after finishing the acts of *'Umrah* and the acts of *Hajj* that make it permissible for him to remove his *Ihram*. The exception to this is the person who is stopped (from performing *Hajj* or *'Umrah*) and the person who stipulates a condition if his condition actually occurs. Therefore, you must repent from what you did. Along with this you must also go to Makkah to complete the *'Umrah* by performing *Tawaf* and *Sa'y*, and shaving your hair or cutting it. You must also slaughter an animal, which is a seventh of a camel or a seventh of a cow, or one sheep, which means a two-year-old goat or a year-old sheep, if you had sex with your wife during the mentioned period of time. Along with this you must repent for what you did as mentioned previously. If you knew the ruling and that this act was not permissible for you, you must feed six poor people, giving each person half a *Sa'* of the food of the country, such as wheat or rice or other than them, or slaughter a sheep or fast three days. This is due to your wearing seamed garments and similar things, such as covering the head, using perfume, clipping the nails and shaving the head during the mentioned period. However, if you were ignorant, nothing is due on you of the mentioned ransom of atonement. This is due to the Statement of Allâh:

﴿رَبَّنَا لَا تُؤَاخِذْنَآ إِن نَّسِينَآ أَوْ أَخْطَأْنَا﴾

"Our Lord, do not take us to account (i.e., punish us) if we forget or unintentionally err."[1]

Indeed it has been authenticated from the Messenger of Allâh ﷺ that Allâh answered this supplication. This is also due to other evidences concerning this. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

[1] *Al-Baqarah* 2:286.

The ruling on whoever assumed *Ihram* for *'Umrah* while she was menstruating

A woman asks saying that she had an excuse, which was that she was menstruating and her family wanted to go for *'Umrah*, and no one would be left with her if she stayed behind them. Therefore, she went with them for *'Umrah* and she completed all of the conditions of *'Umrah*, such as *Tawaf* and *Sa'y* as if she did not have the excuse (of menses). She did this due to ignorance and being too bashful to tell her guardian about that (her menses), especially since she is illiterate and she does not know how to read and write. What is obligatory on her concerning this?

If she assumed *Ihram* with them for *'Umrah*, she must repeat the *Tawaf* after she bathes (i.e., when her menses is over) and she must repeat the cutting of hair from her head. In reference to the *Sa'y*, the *Sa'y* she performed suffices her according to the most correct opinion from the views of the scholars, but if she repeats the *Sa'y* after the *Tawaf*, that is better and safer. She must repent to Allâh for performing *Tawaf* and prayer (*As-Salah*) of two *Rak'ahs* for *Tawaf* while she was menstruating.

If she has a husband, it is not permissible for him to have sex with her until she completes her *'Umrah*. If he had sex with her before she completed her *'Umrah*, the *'Umrah* is corrupted and she must slaughter an animal, which is a sheep. It should be a year-old sheep or a two-year-old goat and it should be slaughtered in Makkah for the poor people. She must also complete her *'Umrah* as we mentioned already. In place of her corrupted *'Umrah*, she must also perform another *'Umrah* from the *Miqat* that she assumed *Ihram* from for the first *'Umrah*. However, if she performed *Tawaf* with them and *Sa'y* due to etiquette and shyness, and she did not assume *Ihram* from the *Miqat*, there is nothing due on her other than repenting to Allâh. This is because *'Umrah* and *Hajj* are not correct without *Ihram*,

and assuming *Ihram* is the intention to perform *'Umrah* or *Hajj* or the intention for them both.

We ask Allâh for guidance and safety for everyone from the proddings of Satan.

Ash-Shaykh Ibn Baz

The ruling on whoever performed *Ihram* and he did not complete his *Sa'y*

Q A man came to perform *'Umrah* and he left off four circuits of *Sa'y* due to forgetfulness or ignorance, so what must he do?

A He must complete them. So, he performs them so that he may complete his *Sa'y*, regardless of whether this was during *Hajj* or *'Umrah*. If he traveled to his land, he must return to Makkah and complete the circuits that he left off so that he may finish his *'Umrah*. He has the ruling of being in *Ihram*, which prohibits him from his family (i.e., sex with his wife) until he completes his *'Umrah*.

Ash-Shaykh Ibn Baz

The ruling on shaving the Head and cutting the Hair for *'Umrah*

Q What is the ruling on shaving the head or cutting the hair in reference to *'Umrah*?

A Shaving the head or cutting the hair in reference to *'Umrah* is obligatory because when the Prophet ﷺ came to Makkah for the Farewell *Hajj* and performed *Tawaf* and *Sa'y*, he commanded everyone who did not bring the sacrificial animal to cut his hair and then shave it (later for *Hajj*). Since he commanded them to cut their hair, and the fundamental principle is that the command is for obligation, this proves that the hair must be cut. Another proof for this is that when they

were prevented from performing *'Umrah* during the expedition of Al-Hudaibiyyah, the Prophet ﷺ commanded them to shave their heads. He even became angry when they were hesitant in doing that. In reference to whether it is better to cut the hair or shave it for *'Umrah*, it is better to shave it, except for the person who is performing *Hajjut-Tamattu'* and he came late. In this case, it is better for him to cut his hair so that he can save some hair for shaving for the *Hajj*.

Ash-Shaykh Ibn 'Uthaimin

The ruling on removing the *Ihram* before cutting the Hair

Last year I performed the rites of *'Umrah* during the blessed month of Ramadhan. When we returned to our place of stay I removed the *Ihram* without cutting my hair, because I did not have any knowledge about this, and my family did not know that I did not know. Then when they found out that I did not cut my hair, they informed me that this is not permissible. So, I immediately cut my hair. Is my *'Umrah* accepted or not?

It is not permissible for the person who assumed *Ihram* for *'Umrah* to remove his *Ihram* until he shaves his head or cuts his hair. Whoever removes his *Ihram* before cutting his hair and he wears the (normal) clothes and covers his head, while he knows the ruling, he must offer a ransom of atonement. If he was ignorant of the ruling or forgot about it, there is nothing due on him. However, whenever he came to know the ruling or remembers it, he must remove the (normal) clothing immediately, put back on the *Ihram* clothes and busy himself with shaving his head or cutting his hair. He is thus excused due to ignorance of these rules.

Ash-Shaykh Ibn Jibreen

The Farewell *Tawaf* is not obligatory upon the Person performing *'Umrah*

Q If the *Hajj* pilgrim performs *'Umrah* and after that he goes to visit his relatives outside of the *Haram*, is he required to perform the Farewell *Tawaf*, and is there any sin on him for that?

A A Farewell *Tawaf* is not due on the person who performs *'Umrah* if he wants to leave for the areas surrounding Makkah outside the *Haram* area. The same applies to the *Hajj* pilgrim. However, when he (the person performing *'Umrah*) wants to travel to his family (i.e., his homeland) or some other place, it is legislated for him to perform the Farewell *Tawaf*, but it is not obligatory upon him, as there is no evidence for it. Indeed the Companions ﷺ, who had removed their *Ihram* after their *'Umrah*, went out to Mina and 'Arafat and they were not commanded to perform the Farewell *Tawaf*. In reference to the *Hajj* pilgrim, he is required to perform the Farewell *Tawaf* when he leaves Makkah traveling back to his homeland or some other place. This is due to the statement of Ibn 'Abbas ﷺ: "The people were commanded that their last act should be at the House (i.e., *Tawaf*), except that the matter was lightened for the menstruating woman (i.e., she was exempted)." This narration is agreed upon. His statement: "The people were commanded" means that the Prophet ﷺ commanded them. Due to this, it was reported in another narration from Ibn 'Abbas ﷺ that the Prophet ﷺ said:

«لَا يَنْفِرَنَّ أَحَدٌ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيْتِ»

"No one among you should leave until his last act is at the House (i.e., Tawaf)."[1]

Muslim recorded it. From this *Hadith* it is known that the menstruating woman does not have to perform the Farewell

[1] Muslim no. 1327 and Ahmad 1/222.

Tawaf, neither for *Hajj* nor *'Umrah*, and the same applies for the woman with postnatal bleeding. This is because she is like the menstruating woman in regards to rulings, according to the people of knowledge.

Ash-Shaykh Ibn Baz

The Person who performs *'Umrah* is not obligated to perform the Farewell *Tawaf*

I used to make the people who performed *'Umrah* to also perform the Farewell *Tawaf* when they left the Sacred Area (the *Haram*). Then, I heard from your eminence in your lecture in the *Haram* that there is no Farewell *Tawaf* for them. I would like more explanation concerning this matter.

The Farewell *Tawaf* is obligatory on whoever performs *Hajj* to the Sacred House of Allâh when he wants to travel (i.e., leave). This is due to the statement of Ibn 'Abbas ﷺ: "The people were commanded that their last act should be at the House (i.e., *Tawaf*), except the matter was lightened for the menstruating woman (i.e., she was exempted)." This is agreed upon. This is also due to his statement that the people were leaving from every direction, so the Messenger of Allâh ﷺ said:

«لَا يَنْفِرَنَّ أَحَدٌ حَتَّى يَكُونَ آخِرُ عَهْدِهِ بِالْبَيتِ»

"No one should leave until his last act is at the House (i.e., Tawaf)."

This was recorded by Ahmad and Muslim. This command is for the *Hajj* pilgrims as is indicated by the circumstances (mentioned). For verily, he ﷺ said this as a direction given to the *Hajj* pilgrims when the *Hajj* was over. In reference to the person who performs *'Umrah*, the Farewell *Tawaf* is not obligatory on him, but it is *Sunnah* (recommended) for him to perform it when he wants to travel. This is because there is no evidence to prove the obligation (upon the *'Umrah* pilgrim).

This is also because the Prophet ﷺ did not perform the Farewell *Tawaf* when he left Makkah after the *'Umratul-Qadha'* (the *'Umrah* he made the year following the treaty of Hudaibiyyah), as far as we know of his Sunnah concerning that.

The Permanent Committee

The best Time to perform *'Umrah* is during Ramadhan

Q Is there any specific virtue that is confirmed for performing *'Umrah* during the months of *Hajj* that is different from its virtue in other months?

A The best time to perform *'Umrah* is during the month of Ramadhan. This is due to the Prophet's statement:

«عُمْرَةٌ فِي رَمَضَانَ تَعْدِلُ حَجَّةً»

"An 'Umrah in Ramadhan is equal to a Hajj."[1]

The authenticity of this *Hadith* is agreed upon and in another narration in *Al-Bukhari* the wording is:

«تَقْضِي حَجَّةً مَعِي»

"Is equivalent to a Hajj (performed) with me."[2]

And in Muslim one wording states:

«تَقْضِي حَجَّةً أَوْ حَجَّةً مَّعِي»

"Is equivalent to a Hajj or a Hajj (performed) with me."[3]

It has been reported like this with doubt. This means a *Hajj* performed with him ﷺ. Then after that, the *'Umrah* performed in Thul-Qa'dah, because all of the Prophet's *'Umrahs* were in Thul-Qa'dah, and indeed Allâh said:

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[1] At-Tirmithi no. 939 and Ibn Majah no. 2994.
[2] Muslim no. 1256.
[3] Al-Bukhari no. 1863 and Muslim no. 1256.

﴿لَّقَدْ كَانَ لَكُمْ فِي رَسُولِ ٱللَّهِ أُسْوَةٌ حَسَنَةٌ﴾

"Indeed there is an excellent example for you in the Messenger of Allâh (Muhammad ﷺ)." [1]

And success is from Allâh.

Ash-Shaykh Ibn Baz

'Umrah in Ramadhan is equal to a *Hajj*

Q Are there any *Hadiths* reported that prove that *'Umrah* in Ramadhan is equal to a *Hajj* or that its virtue is just like the other months?

A Yes, it is reported in *Sahih Muslim* from the Prophet ﷺ that he said:

«عُمْرَةٌ فِي رَمَضَانَ تَعْدِلُ حَجَّةً»

"An 'Umrah in Ramadhan is equal to a Hajj."[2]

So *'Umrah* performed in Ramadhan is equal to a *Hajj*, just as the *Hadith* has mentioned. However, this does not mean that it suffices for the performance of *Hajj*, such that if a person made *'Umrah* in Ramadhan and he did not perform the obligation of *Hajj*, he does not have to perform the obligatory *Hajj*. This is because the equivalency of one thing to another does not necessitate that one suffices in place of the other.

Hence, this *Surah* (chapter of the Qur'an): "Say: He is Allâh (the) One," is equal to a third of the Qur'an. However, it does not suffice in place of it. So, if someone repeated *Suratul-Ikhlas* three times in his prayer, that does not suffice him in place of reciting *Suratul-Fatihah*. Also, this saying of a person: "There is none worthy of being worshiped as a God except Allâh alone. To Him belongs the sovereignty and to Him belongs the praise, and

[1] *Al-Ahzab* 33:21.
[2] Muslim no. 1256 and At-Tirmithi no. 939.

He has power over all things." The person saying this ten times is like whoever freed four souls (people) from the children of Isma'il. However, with this, if a person said this and upon him is the obligation of freeing a slave, this saying does not suffice in its place. By this you know that something being comparatively equal to something else does not necessitate that it suffices in place of that thing.

Ash-Shaykh Ibn 'Uthaimin

The virtue of *'Umrah* during Ramadhan is not restricted to some particular Days

Q Is the virtue of *'Umrah* during Ramadhan restricted to the beginning of the month or middle of it or the end of it?

A *'Umrah* during Ramadhan is not restricted to its beginning, its middle or its end. It is general, including the first of the month, its middle and its end. This is due to the Prophet's statement:

«عُمْرَةٌ فِي رَمَضَانَ تَعْدِلُ حَجَّةً»

"An 'Umrah in Ramadhan is equal to a Hajj."[1]

And he ﷺ did not restrict it. Thus, if a man travels in Ramadhan and performs *'Umrah* during it, he is like someone who performs *Hajj*. I will stop here to inform the brothers who go to Makkah to perform *'Umrah*, and among them there are those who come before Ramadhan by a day or two. So, this person will perform *'Umrah* before the beginning of the month, and therefore he will not get the reward that is gained by someone who offers *'Umrah* in Ramadhan.

So, if he delays his trip so that the day of his *Ihram* for *'Umrah* is during Ramadhan, that is better and more preferred. Likewise,

[1] Muslim no. 1256 and At-Tirmithi no. 939.

we find that some of the people who come in the beginning of the month, go out to At-Tan'im when the middle of the month comes and they perform another *'Umrah*. Then, at the end of the month also, they go out to At-Tan'im and perform a third *'Umrah*. This is an act that has no basis for it in the Islamic law. For verily, the Prophet ﷺ stayed in Makkah for 19 days during the year of the Conquest, and he did not go out to At-Tan'im to perform *'Umrah*. This is along with considering that he ﷺ conquered Makkah during Ramadhan and he did not go to At-Tan'im after the fighting to perform *'Umrah*. Rather, he performed *'Umrah* in Thul-Qa'dah when he returned from the expedition of At-Ta'if, and he stayed at Al-Ji'ranah and he divided the war booty there. Then, that night he entered Makkah and performed *'Umrah* from Al-Ji'ranah. Then, during that same night he ﷺ left.

In this there is an evidence that the person should not leave Makkah in order to perform *'Umrah* from At-Tan'im or any other place outside of the Sacred Area. This is because if this was an act of good, the first of the people to do it and the one with the most right to do it would be the Messenger of Allâh ﷺ. Because we know that the Messenger of Allâh ﷺ was the most eager of the people in doing the good and because the Prophet ﷺ was the one who legislated and conveyed (the guidance) from Allâh. If this was from the legislated matters, the Prophet ﷺ would have explained it to his *Ummah*, either by his statement or by his action or by his approval, and all of this did not occur. And following (the Prophet ﷺ), even if it is in a small amount of actions, is better than innovating, whether it is a little or a lot.

Ash-Shaykh Ibn 'Uthaimin

The ruling on repeating the *'Umrah* during Ramadhan and other than it

Q What is the ruling on going outside of the *Haram* to the area that is outside of the sacred boundaries to perform *'Umrah* during Ramadhan and other months?

Shaykhul-Islam Ibn Taimiyyah mentioned that it is disliked to repeat it (*'Umrah*) and perform it a lot, according to the agreement of the *Salaf*. Whether this statement is accepted or not, verily the going out of the *'Umrah* pilgrim who performed *'Umrah*, to the area outside of the *Haram* to perform a second and third *'Umrah* during Ramadhan or other times is from the innovations. This is from those innovated matters that were not known in the time of the Prophet ﷺ. This type of act was not known in the time of the Prophet ﷺ, except for one situation which was regarding a specific matter. This was the situation of the Mother of the Believers, 'A'ishah ﵂ when she assumed *Ihram* for *'Umrah* as a pilgrim performing *Hajjut-Tamattu'*, combining the *'Umrah* with the *Hajj*. Then, she got her menses and the Prophet ﷺ entered upon her while she was crying. Then, he asked her about the reason for her crying, so she informed him. Thus, he comforted her by telling her that this is something that Allâh has prescribed upon the daughters of Adam. Then, he ordered her to assume *Ihram* for *Hajj*. So, she assumed *Ihram* for it and she became a pilgrim performing *Hajjul-Qiran*. However, when she finished it, she requested the Prophet ﷺ to allow her to perform an *'Umrah* separate from the *Hajj*. So, the Messenger of Allâh ﷺ allowed her, and he ordered her brother, 'Abdur-Rahman bin Abu Bakr ﵁ to go out with her to At-Tan'im. Thus, he went out with her and she performed *'Umrah*. If this was from the legislated matters which are meant to be general for everyone, the Prophet ﷺ would have directed his Companions to do it. Rather, he would have encouraged 'Abdur-Rahman bin Abu Bakr ﵁, who went out with his sister, to also perform an *'Umrah* because of the reward that it contained. What is known by everyone is that the Messenger of Allâh ﷺ stayed in Makkah 19 days during the year of the Conquest, and he did not perform an *'Umrah*, even though that would have been easy for him to do. This proves that the person performing *'Umrah*, if he performs *'Umrah* during Ramadhan or at another time, he should not repeat it by going out of the *Haram* to the area that is outside of the Sacred Area, because

this is not from the Prophet's guidance. It is also not from the guidance of the Rightly-Guided Caliphs or the guidance of all of his Companions.

Also, many of the people say: "I came for *'Umrah* during this month and I want to perform *'Umrah* for my mother or my father or people similar to them." We say in response that the basis of dedicating acts of worship on behalf of the deceased is not from the legislated matters. This means that the person is not requested to do an act of obedience for his mother or his father or his sister. However, if he does that, it is permissible because the Prophet ﷺ allowed Sa'd bin 'Ubadah ﷺ to give charity from his date palm trees for his mother. Also, a man sought his permission saying: "O Messenger of Allâh, verily my mother passed away and I think that if she could speak, she would have given charity. May I give charity on her behalf?" The Prophet ﷺ said: "Yes." Along with this, he did not say to his Companions in a general way: "Give charity on behalf of your deceased or for your fathers or your mothers." It is obligatory for the student of knowledge and others to know the difference between the legislated matter and the permissible matter. The legislated matter is that which is requested from every Muslim to do it, and the permissible matter is that which the Islamic law allows, but it does not request it from every person. I will give you an example that will make the matter clear to you. This example comes in the story of the man who the Prophet ﷺ sent among a group on a battle expedition, and he used to recite for his Companions (i.e., leading them in prayer). He would finish his recitation (in the prayer) with "Say: He is Allâh, (the) One," (*Surat Al-Ikhlas*). Whenever he would lead them in prayer he would finish his recitation with "Say: He is Allâh, (the) One." So, when they returned to the Prophet ﷺ and informed him, he said:

«سَلُوهُ لِأَيِّ شَيءٍ كَانَ يَصْنَعُ ذَلِكَ»

"Ask him what thing caused him to do that."

So, the man said: "Verily, it is the description of the Most Gracious (Ar-Rahman) and I love to recite it." So, the Prophet ﷺ said:

«أَخْبِرُوهُ أَنَّ اللهَ يُحِبُّهُ»

"Inform him that Allâh loves him."

Yet, even with this, it was not from the guidance of the Messenger ﷺ that he would conclude the recitation of the prayer with "Say: He is Allâh, (the) One," nor did he direct his *Ummah* to do that. Therefore, he distinguished between the allowed matter and the legislated matter that every person is requested to do. Thus, if the Prophet ﷺ allowed Sa'd bin 'Ubadah to give charity from his garden on behalf of his mother, and he allowed this questioner whose mother had passed away, to give charity on her behalf, this does not mean that it is legislated for everyone to give charity for his parents. However, if he gives charity it will benefit him. Verily, that which we are commanded to do is to supplicate for our fathers and mothers. This is due to the statement of the Prophet ﷺ:

«إِذَا مَاتَ الْعَبْدُ انْقَطَعَ عَنْهُ عَمَلُهُ إِلَّا مِنْ ثَلَاثٍ: صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

"When the servant dies, his deeds are cut off, except for three: perpetual charity or knowledge from which benefit is gained or a righteous child who supplicates for him."[1]

And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

[1] Muslim no. 1631.

Various Miscellaneous Rulings

Whoever performs *Hajj* while he continues to commit Acts of Disobedience

Q What is the ruling of the *Hajj* of the person who persistently commits an act of disobedience or he continues to commit a minor sin?

A His *Hajj* is correct if he is a Muslim, however it is deficient and he is required to repent to Allâh from all sins, especially during the time of the *Hajj* and in this City of Security (Makkah). Whoever repents, Allâh will accept his repentance. This is due to the Statement of Allâh:

﴿وَتُوبُوٓاْ إِلَى ٱللَّهِ جَمِيعًا أَيُّهَ ٱلْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ ﴿٣١﴾﴾

"And all of you repent to Allâh, O you believers, so that perhaps you will be successful." [1]

And His Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ تُوبُوٓاْ إِلَى ٱللَّهِ تَوْبَةً نَّصُوحًا عَسَىٰ رَبُّكُمْ أَن يُكَفِّرَ عَنكُمْ سَيِّـَٔاتِكُمْ وَيُدْخِلَكُمْ جَنَّٰتٍ تَجْرِى مِن تَحْتِهَا ٱلْأَنْهَٰرُ﴾

"O you who believe, repent to Allâh in sincere repentance. Maybe your Lord will expiate your bad deeds from you and enter you into Gardens (of Paradise) with rivers flowing beneath them." [2]

The sincere repentance is that which includes ceasing the performance of the sins, avoiding them out of respect for Allâh and fear of His punishment, along with feeling sorry for what passed of them, and true resolve not to return to them. From the completion of repentance is to return the rights of injustices to those who deserve them, if there was some injustice regarding a soul or some wealth or a person or honor or seeking pardon from

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[1] *An-Nur* 24:31.
[2] *At-Tahrim* 66:8.

the people. May Allâh help the Muslims to do what contains rectification of their hearts and their actions, and may He bless them and us with true repentance from all sins. Verily, He is Most Generous, Most Noble.

Ash-Shaykh Ibn Baz

Shortening the Prayer during the *Hajj*

Q What is the ruling on shortening the prayer for the *Hajj* pilgrim during his stay there in Makkah for more than four days?

A If the stay of the *Hajj* pilgrim in Makkah Al-Mukarramah is four days or less, then the Sunnah for him is to pray the four *Rak'ah* prayers as two *Rak'ahs*. This is due to the action of the Prophet ﷺ during the Farewell *Hajj*. However, if he made up his mind to stay more than four days, it is safer for him to pray the shortened prayers as the complete four *Rak'ahs*. This is the view of most of the people of knowledge.

Ash-Shaykh Ibn Baz

It is not obligatory upon the *Hajj* Pilgrim or the *'Umrah* Pilgrim to pray the obligatory Prayers in the *Haram* (the Sacred Mosque)

Q Some people believe that if they go for *'Umrah*, it is obligatory on them to pray the obligatory prayers in the *Haram* (the Sacred Mosque), and whoever does not do so, his *'Umrah* is nullified. I hope that you can give us a beneficial answer concerning that. May Allâh reward you with good.

A This is an understanding that has no correct basis for it. It is not obligatory upon the *Hajj* pilgrim or the person performing *'Umrah* to pray the obligatory prayers in the Sacred Mosque (*Al-Masjid Al-Haram*). Rather, if he prays in the other Mosques of Makkah, there is no sin on him. There is no

difference about this among the people of knowledge, and actually it is an issue in which there is a consensus (*Ijma'*), and all praise is due to Allâh.

It is only obligatory upon the person performing *'Umrah* to perform *Tawaf* and *Sa'y*, and to shave the head or cut the hair, and with this his *'Umrah* is complete. Before that the person must assume *Ihram* from the *Miqat* that he passes upon his arrival to Makkah, if he was (coming from) outside of the *Mawaqit*. However, if he was within the *Mawaqit* places, like the people of Jeddah, Ummus-Salam, Bahrah, Luzaymah, Ash-Shara'i' and similar places, he is required to assume *Ihram* from his place, from there he begins his intention to enter into *Hajj* or *'Umrah*. This is due to what is confirmed from the Prophet ﷺ in the two authentic books (*Al-Bukhari* and *Muslim*) on the authority of Ibn 'Abbas ﷺ from the Prophet ﷺ that he designated the *Miqat* for the people of Al-Madinah as Thul-Hulayfah, for the people of Ash-Sham as Al-Juhfah, for the people of Najd as Qarnul-Manazil and for the people of Yemen as Yalamlam. Then he said:

«هُنَّ لَهُمْ وَلِمَنْ أَتَى عَلَيْهِنَّ، مِنْ غَيْرِ أَهْلِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ، وَمَنْ كَانَ دُونَ ذَلِكَ فَمِنْ حَيْثُ أَنْشَأَ، حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ»

"They are for them and for whoever passes them from other than their people, from whoever wants to perform Hajj and 'Umrah. And whoever is within that area (i.e., closer to Makkah), then his place of assuming Ihram is from wherever he set out from. Even the people of Makkah assume Ihram from Makkah."[1]

When 'A'ishah ﷺ wanted to perform *'Umrah* during the last days of Mina, the Prophet ﷺ ordered her to assume *Ihram* for it from outside the *Haram* area. Therefore, she assumed *Ihram* for it from At-Tan'im, and then she entered Makkah, performed *Tawaf* and *Sa'y*, and she cut some hair from her head. This authentic *Hadith* proves that whoever wants to perform *'Umrah*

[1] Al-Bukhari no. 1524 and Muslim no. 1181.

while he is inside the *Haram* area - I mean the sacred area of Makkah - it is obligatory on him to go out to the area outside of the Sacred Area and assume *Ihram* from there. This is due to the Prophet's command to 'A'ishah ﷺ to do that. Due to this, the mentioned *Hadith* of 'A'ishah is considered a particular specification (*Mukhassas*) for the Prophet's statement in the previously mentioned *Hadith* of Ibn 'Abbas ﷺ:

«حَتَّى أَهْلُ مَكَّةَ يُهِلُّونَ مِنْ مَكَّةَ»

"Even the people of Makkah assume Ihram from Makkah."

From this it becomes clear that the intent of this is assuming *Ihram* for *Hajj* and not *'Umrah*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on the *Hajj* of whoever does not fast Ramadhan due to an Excuse

Q Indeed I was afflicted with an illness during the blessed month of Ramadhan and I was not able to fast during that time. Therefore, I decided to fast during another month if Allâh allowed me to live. After that the month of *Hajj* came and I wanted to perform *Hajj* that year. Is it permissible for me to perform that *Hajj* without fasting?

A It is permissible for you to perform *Hajj* even if you did not make up for what was due on you of what you missed of fasting during the month of Ramadhan. However, it is not permissible for you to delay making up for the fast until the next fast (i.e., the following Ramadhan) begins, as long as you are able to make up for the fasting. May Allâh send blessing and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The Reason for naming the *Ka'bah* 'The House of Allâh'

Q Why was the *Ka'bah* named 'The Sacred House of Allâh'?

A The *Ka'bah* was named the House of Allâh because it is a place of magnifying Allâh, the Mighty and Majestic. Verily, the people come to it from everywhere in order to perform the obligation that Allâh has prescribed for them, which is the *Hajj* (pilgrimage) to His House. It is also because the people face it in their prayers in every place in order to fulfill a condition from the conditions for the correctness of the prayer. This is as Allâh said:

﴿وَمِنْ حَيْثُ خَرَجْتَ فَوَلِّ وَجْهَكَ شَطْرَ ٱلْمَسْجِدِ ٱلْحَرَامِ ۖ وَحَيْثُ مَا كُنتُمْ فَوَلُّوا۟ وُجُوهَكُمْ شَطْرَهُۥ﴾

"And from wherever you come, turn your face (in prayer) to the direction of the Sacred Mosque (Al-Masjid Al-Haram). And wherever you are turn your faces (in prayer) in its direction." [1]

Allâh connected it to His Name in possessive form as a means of honoring, magnifying and respecting it. For verily, that which is connected in possessive form to Allâh (i.e., His Name) is divided into two types. Either it is an attribute from His Attributes, like the Hearing of Allâh and His Sight and His Knowledge and His Power and His Speech, or it is from His creations. And it (the creation) is mentioned in possessive connection with Him as a means of honor, like His Saying:

﴿وَطَهِّرْ بَيْتِىَ لِلطَّآئِفِينَ﴾

"And purify My House for those who perform Tawaf (circumambulate) around it." [2]

Ash-Shaykh Ibn 'Uthaimin

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[1] *Al-Baqarah* 2:150.
[2] *Al-Hajj* 22:26.

Is Magnitude of Sins increased in Makkah and why?

Q Is the magnitude of sins increased in Makkah just like the blessings for good deeds are increased, and why is it increased in Makkah and not in other places?

A The evidences of the Islamic law prove that the blessings for good deeds are increased in the virtuous times and the virtuous places. Examples of times include Ramadhan, the first 10 days of Thul-Hijjah, and examples of places include the two sacred lands (*Al-Haramayn*, i.e., Makkah and Al-Madinah). Verily, the blessings for good deeds are greatly increased in Makkah.

Indeed it has been reported in an authentic *Hadith* from the Prophet ﷺ that he said:

«صَلَاةٌ فِي مَسْجِدِي هٰذَا خَيْرٌ مِنْ أَلْفِ صَلَاةٍ فِي مَا سِوَاهُ إِلَّا الْمَسْجِدَ الْحَرَامَ، وَصَلَاةٌ فِي الْمَسْجِدِ الْحَرَامِ خَيْرٌ مِنْ مِّائَةِ صَلَاةٍ فِي مَسْجِدِي»

"A prayer in this mosque of mine (in Al-Madinah) is better than 1,000 prayers anywhere else, except for the Sacred Mosque (in Makkah). And a prayer in the Sacred Mosque is better than 100,000 prayers in any mosque other than it (i.e., other than this mosque of mine)." [1]

This was recorded by Ahmad and Ibn Hibban with an authentic chain of narration.

This proves that the prayer in the Sacred Mosque is increased to 100,000 times the prayer in places other than the Prophetic Mosque, and it is increased to 100 times the prayer in the Mosque of the Prophet ﷺ. Also, the rest of the righteous deeds are increased, but there is no specific amount that has been set. The limit and explanation has only been reported concerning the prayer. In reference to the rest of the deeds, like fasting, remembrance of Allâh, recitation of the Qur'an and charity, I do

[1] Ahmad 3/397, 4/5, Ibn Hibban no. 1027 and Al-Bayhaqi 5/246.

not know of any confirmed text that proves a set amount of increase for them. The only thing reported concerning these things that prove an increase in reward is general and there is no specified amount (of increase) concerning it.

The *Hadith* which states:

«مَنْ صَامَ فِي مَكَّةَ كَتَبَ اللهُ لَهُ مِائَةَ أَلْفِ رَمَضَانَ»

"Whoever fasts in Makkah, Allâh will write for him 100,000 Ramadhan (fasts)."[1]

This *Hadith* is weak according to the people of knowledge.

Thus, the conclusion is that there is no doubt concerning the increase at the noble *Haram* of Makkah Al-Mukarramah - I mean the increase in blessings for good deeds. However, there is no specified amount for it in the texts, as far as we know, except for the prayer. For verily, there is a text concerning it that proves that it is increased by 100,000 times, as mentioned previously.

In reference to the bad deeds, the view that the researchers among the people of knowledge hold is that they are not increased in reference to quantity, but they are increased in reference to quality. However, concerning the quantity, they are not increased in amount. This is because Allâh says:

﴿مَن جَآءَ بِٱلْحَسَنَةِ فَلَهُۥ عَشْرُ أَمْثَالِهَا ۖ وَمَن جَآءَ بِٱلسَّيِّئَةِ فَلَا يُجْزَىٰٓ إِلَّا مِثْلَهَا﴾

"Whoever comes with a good deed, he will have ten like it, and whoever comes with an evil deed, he will not be recompensed except with its like." [2]

The evil deeds are not increased in number, neither in Ramadhan nor in the *Haram* or anywhere else. Rather, it is always counted as one bad deed. This is from Allâh's Favor and His Kindness.

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[1] Ibn Majah no. 3117.
[2] *Al-An'am* 6:160.

However, the evil deed performed in the *Haram* and during Ramadhan and during the ten days of Thul-Hijjah is a greater sin than the evil deed at other times and places. Thus, the evil deed performed in Makkah is greater, more heinous and more severe than an evil deed performed in Jeddah or Ta'if, for example. Likewise, the evil deed performed in Ramadhan and the evil deed performed in the ten days of Thul-Hijjah is more severe and heinous than the evil deed performed in Rajab or Sha'ban and so forth.

Hence, the evil deeds are increased in quality and not quantity. In reference to the good deeds, they are increased in quality and quantity by the Bounty of Allâh, the Most High. From that which proves the severe warning against evil deeds in the *Haram* and that the evil deed performed in the *Haram* is a tremendous and severe sin is the Statement of Allâh:

﴿وَمَن يُرِدْ فِيهِ بِإِلْحَادٍ بِظُلْمٍ نُّذِقْهُ مِنْ عَذَابٍ أَلِيمٍ ﴿٢٥﴾﴾

"And whoever inclines to any Ilhad (deviation) therein (in Makkah) or to do wrong, him We shall cause to taste from a painful torment."[1]

This proves that the evil deed committed in the *Haram* is a tremendous sin. This threat is even concerning the inclination to do evil in it.

If the person who even thinks to deviate by committing evil acts in the *Haram*, will have a painful torment, what about the situation of the one who does deviant acts and bad deeds and evil actions in the *Haram*? Verily, his sin is even greater than simply thinking to commit evil. All of this shows us that the evil deed committed in the *Haram* is a serious matter.

The word *'Ilhad'* is general and it includes all inclinations to falsehood, regardless of whether it is in beliefs or other than that. This is because Allâh said:

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[1] *Al-Hajj* 22:25.

﴿وَمَن يُرِدْ فِيهِ بِإِلْحَادٍ بِظُلْمٍ﴾

"And whoever inclines to any Ilhad (deviation) therein (in Makkah) or to do wrong."[1]

So, He left it all indefinite (i.e., unspecified). So, if the person deviates in any deviation - and *Ilhad* is to incline away from the truth - then he is threatened with this threat.

It could be that the inclination is away from correct belief to disbelief in Allâh. Therefore, the person disbelieves due to that and his sin is greater and his deviation is more heinous. The inclination could also be to an evil deed from the evil acts, like drinking intoxicants, committing fornication or adultery, and disobeying the parents or one of them. Thus, his punishment will be lighter than the punishment of the disbeliever.

If the deviation is by being unjust to the servants (of Allâh) by committing murder or beating or taking their wealth or cursing them or other than that, this is another type of wrongdoing. Yet, all of it is called *Ilhad* (deviation) and all of it is called wrongdoing, and the one who commits it is in a dangerous situation.

However, the deviation that is disbelief in Allâh and leaving outside of the fold of Islam is more severe than the rest of the sins and greater than them. This is as Allâh said:

﴿إِنَّ ٱلشِّرْكَ لَظُلْمٌ عَظِيمٌ ﴿١٣﴾﴾

"Verily, the association of partners with Allâh (Ash-Shirk) is a tremendous Zulm (wrongdoing, injustice, etc.)."

And Allâh knows best.

Ash-Shaykh Ibn Baz

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[1] *Al-Hajj* 22:25.

The Pigeons of the *Haram* are not distinct from other Pigeons

Q One of the *Hajj* pilgrims to the Sacred House of Allâh says: "Verily, any pigeon in Al-Madinah Al-Munawwarah, when its time of death comes near, it goes to Makkah Al-Mukarramah. Then it flies around the sky of the Noble *Ka'bah*, like a Farewell (*Tawaf*) for itself. Then it dies after it has flown a distance of miles." Is this correct or not? Please benefit us with an answer.

A The pigeons of Al-Madinah and the pigeons of Makkah Al-Mukarramah are not distinctly different from other pigeons, except that it is not permissible to hunt them or chase them away for the person who is in *Ihram* for *Hajj* or *'Umrah*. This is also not permissible for someone who is not in *Ihram* as long as he is in the *Haram* of Makkah or the *Haram* of Al-Madinah. However, when the person leaves outside of these two sanctuaries it is permissible to hunt these pigeons for whoever is not in *Ihram* for *Hajj* or *'Umrah*. This is due to Allâh's Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ لَا تَقْتُلُوا۟ ٱلصَّيْدَ وَأَنتُمْ حُرُمٌ﴾

"O you who believe, do not kill the game animals while you are in the state of Ihram." [1]

This is also due to the generality of the Prophet's statement:

«إِنَّ اللهَ حَرَّمَ مَكَّةَ فَلَمْ تَحِلَّ لأَحَدٍ قَبْلِي، وَلَا تَحِلُّ لأَحَدٍ بَعْدِي، وَإِنَّمَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَارٍ لَا يُخْتَلَى خَلَاهَا، وَلَا يُعْضَدُ شَجَرُهَا، وَلَا يُنَفَّرُ صَيْدُهَا»

"Verily Allâh made Makkah a Haram (sacred land), so it was not permissible for anyone before me (to fight in it), nor will it be

[1] *Al-Ma'idah* 5:95.

permissible for anyone after me (to fight in it). And it was only made permissible for me for an hour of the day. Its grass should not be cut, its trees should not be cut down and its game animals should not be chased."[1]

And the *Hadith* continues. This was recorded by Al-Bukhari. There is also his ﷺ statement:

«إِنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ، وَإِنِّي حَرَّمْتُ الْمَدِينَةَ مَا بَيْنَ لَابَتَيْهَا، لَا يُقْطَعُ عِضَاهُهَا، وَلَا يُصَادُ صَيْدُهَا»

"Verily, Ibrahim made Makkah a Haram (sacred land) and verily I have made Al-Madinah a Haram (sacred land) for whatever is between its two mountains. Its shrubs should not be cut and its game animals should not be hunted."[2]

This was recorded by Muslim. So, whoever claims that any pigeon in Al-Madinah Al-Munawwarah, when its time of death approaches, it flies to Makkah and passes in the air around the *Ka'bah*, then this person is ignorant. Indeed he has claimed something that has no basis from the standpoint of authenticity. For verily, none knows the appointed times of death except Allâh. Allâh said:

﴿وَمَا تَدْرِي نَفْسٌ مَّاذَا تَكْسِبُ غَدًا﴾

"And no soul knows in which land it will die." [3]

The Farewell *Tawaf* around the *Ka'bah* is only by performing a *Tawaf* around it after a *Hajj* or *'Umrah*. Thus, the claim that the pigeons know when their time of death is drawing near and that they perform a Farewell *Tawaf* around the *Ka'bah* by flying above it is a false claim. No one would make such a bold claim except an ignorant person who invents lies on Allâh and His servants. And Allâh is the One Who is sought for help. May

[1] Al-Bukhari no. 1833.
[2] Muslim no. 1362.
[3] *Luqman* 31:34.

Allâh send prayers of blessing and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The lost Items of Makkah are not to be taken into possession

Q Is it permissible for me to pick up a lost item in Makkah Al-Mukarramah and take it and announce it in the area where I live, or is it obligatory on me to announce it at the doors of the mosques and the stores and other places in Makkah Al-Mukarramah?

A The lost items of Makkah Al-Mukarramah have a special situation in that it is not permissible for anyone to pick them up, except for whoever wants to always announce them or turn them over to the authorities who receive the likes of these possessions. This is due to the statement of the Prophet ﷺ:

«لَا تَحِلُّ لُقْطَتُهَا إِلَّا لِمُنْشِدٍ»

"It is not permissible to pick them up (lost items in Makkah) except for whoever will announce them."[1]

The wisdom behind this is that the lost items, if they remain in their places, their owners will probably return for them and they will find them. Based upon this, we say to the brother that it is obligatory on you to announce the item in Makkah Al-Mukarramah in its place and the area around it, like the doors of the mosques and the gathering places. If you cannot do this, you must submit it to those who are specifically designated to receive this lost item and other things.

Ash-Shaykh Ibn 'Uthaimin

[1] Al-Bukhari no. 2433.

Rulings on Visiting the Prophet's Mosque

The ruling on visiting the Prophetic Mosque and traveling for that purpose

Q A person wants to visit the Prophetic Mosque in Al-Madinah Al-Munawwarah and he is in Makkah. Thus, he asks is that permissible?

A It is permissible for the Muslim to travel to Al-Madinah to pray in the Prophetic Mosque. Actually, it is recommended, because the prayer in it is worth 1,000 prayers in any other place except the Sacred Mosque (*Al-Masjid Al-Haram* in Makkah). If he is in Makkah, his prayer in the Sacred Mosque is better than his traveling to pray in the Prophetic Mosque. This is because the prayer in the Sacred Mosque is worth 100,000 prayers in any other place (besides the Prophet's Mosque in Al-Madinah). It is not permissible for him to travel to Al-Madinah in order to visit the Prophet's grave or other graves. This is due to what is confirmed from the Prophet ﷺ that he said:

«لَا تُشَدُّ الرِّحَالُ إِلَّا إِلَى ثَلَاثَةِ مَسَاجِدَ: الْمَسْجِدِ الْحَرَامِ وَمَسْجِدِي هَذَا وَالْمَسْجِدِ الْأَقْصَى»

"Do not undertake a (religious) journey except to three Mosques: The Sacred Mosque (in Makkah), this mosque of mine (in Al-Madinah), and Al-Masjid Al-Aqsa (in Jerusalem)." [1]

This *Hadith* was recorded by Imam Ahmad, Al-Bukhari, Muslim, Abu Dawud, An-Nasa'i and Ibn Majah. May blessings and peace be upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

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[1] Al-Bukhari no. 1189.

Visiting Al-Madinah has no relationship with *'Umrah*

Q I visited Makkah Al-Mukarramah during the month of Ramadhan with the intention of performing *'Umrah*, but after staying a day in Makkah Al-Mukarramah, I became sick and we were not able to complete the rites of *'Umrah*. We performed *Tawaf* around the *Ka'bah* making 7 trips and we made *Sa'y* between *As-Safa* and *Al-Marwah*. However, we were not able to go to Al-Madinah Al-Munawwarah to visit the *Haram* of the Messenger ﷺ due to this illness of mine. So, I returned to my homeland. Is this visit counted as an *'Umrah* for us?

A If they performed the *Tawaf* and *Sa'y* and cut their hair, then this is a complete *'Umrah* and it is rewarded. In reference to visiting Al-Madinah, this is not what completes the *'Umrah*, nor does it have any relationship to *'Umrah*. Visiting the Prophetic Mosque is only a Sunnah (supererogatory act) that the Muslim does whenever that is easy for him to do.

Ash-Shaykh Ibn 'Uthaimin

Visiting the Prophetic Mosque is not obligatory

Q Some of the *Hajj* pilgrims believe that if they are not able to visit the Prophetic Mosque, then their *Hajj* is deficient. Is this correct?

A Visiting the Prophetic Mosque is a Sunnah (supererogatory act) and it is not obligatory. Also, it is not connected to the *Hajj*. Rather, it is a Sunnah (supererogatory act) that the Prophetic Mosque be visited during the entire year. That is not specifically for the time of *Hajj*. This is due to the statement of the Prophet ﷺ:

«لَا تُشَدُّ الرِّحَالُ إِلَّا إِلَى ثَلَاثَةِ مَسَاجِدَ: الْمَسْجِدِ الْحَرَامِ وَمَسْجِدِي هَذَا

وَالْمَسْجِدِ الْأَقْصَى»

"Do not undertake a (religious) journey except to three mosques: The Sacred Mosque (in Makkah), this mosque of mine (in Al-Madinah), and Al-Masjid Al-Aqsa (in Jerusalem)."[1]

This *Hadith* is agreed upon. If the person visits the Prophetic Mosque, it is legislated for him to pray two *Rak'ahs* in the *Rawdhah* (area between the grave and the pulpit) and then give the greetings of peace to the Prophet ﷺ, and his Companions, Abu Bakr and 'Umar ﷺ. Likewise, it is legislated to visit Al-Baqi' (the cemetery in Al-Madinah) and the martyrs (the graves of the Companions killed during the battle of Uhud) in order to give greetings of peace to those buried there among the Companions and others. This is also so that one may supplicate for them and pray for mercy upon them as the Prophet ﷺ used to visit them. He used to teach his Companions to say when they visited the graves:

«السَّلَامُ عَلَيْكُمْ، أَهْلَ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ، وَإِنَّا إِنْ شَاءَ اللهُ بِكُمْ لَاحِقُونَ، نَسْأَلُ اللهَ لَنَا وَلَكُمُ الْعَافِيَةَ»

"Peace be upon you, O people of the abodes from the believers and the Muslims. Verily, if Allâh wills, we will join you. We ask Allâh for safety for you and us."[2]

It is narrated in a report from him that he ﷺ used to say when he visited Al-Baqi',

«يَرْحَمُ اللهُ الْمُسْتَقْدِمِينَ مِنَّا وَالْمُسْتَأْخِرِينَ، اللَّهُمَّ اغْفِرْ لِأَهْلِ بَقِيعِ الْغَرْقَدِ»

"May Allâh have mercy upon those who went before among us and those who will come after. O Allâh, forgive the people of the cemetery of Baqi'ul-Gharqad."[3]

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[1] Al-Bukhari no. 1189.
[2] Muslim no. 975 and Ibn Majah 1547.
[3] Muslim no. 974-975.

It is also legislated for whoever visits the Prophetic Mosque to visit Masjid Quba' and pray two *Rak'ahs* in it. This is because the Prophet ﷺ used to visit it every Saturday and pray two *Rak'ahs* in it. And he ﷺ said:

«مَنْ تَطَهَّرَ فِي بَيْتِهِ، ثُمَّ أَتَى مَسْجِدَ قُبَاءٍ، فَصَلَّى فِيهِ صَلَاةً، كَانَ لَهُ كَأَجْرِ عُمْرَةٍ»

"Whoever purifies himself in his home, and he performs the purification well, then he goes to Masjid Quba' and prays in it, then that is like an 'Umrah."[1]

These are the places that are to be visited in Al-Madinah Al-Munawwarah. In reference to the Seven Masjids and the Masjidul-Qiblatayn (Mosque of the two *Qiblahs*) and other places that some of the writers have mentioned concerning the *Hajj* rites, visiting them is baseless and not supported by evidence. What is always legislated for the believer is to follow (the Qur'an and authentic Sunnah) and not to innovate. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

All the *Hadiths* that have been reported concerning visiting the Prophet's Grave are Weak

I hope for a beneficial reply concerning the authenticity of the following *Hadiths*:

The first: "Whoever performs *Hajj* of the House (the *Ka'bah*) and he does not visit me, then indeed he has shunned me."

The second: "Whoever visits me after my death, it is as if he visited me during my lifetime."

The third: "Whoever visits me in Al-Madinah seeking

[1] Ibn Majah no. 1412.

reward, I will be an intercessor and witness for him on the Day of Resurrection."

I ask this because these *Hadiths* are reported in some of the books and problems have occurred because of them. Two different opinions have developed concerning them. One of them supports these *Hadiths* and the other does not support them.

In reference to the first *Hadith*, it was recorded by Ibn 'Adiy and Ad-Daraqutni by way of 'Abdullah bin 'Umar ﷺ from the Prophet ﷺ. Its wording is:

«مَنْ حَجَّ الْبَيتَ وَلَمْ يَزُرْنِي فَقَدْ جَفَانِي»

"Whoever performs Hajj and he does not visit me, then verily he has shunned me."

And it is a weak *Hadith*. Actually, it has been said concerning it: "Verily, it is fabricated," meaning it is an invented lie. This is because in its chain of narration is Muhammad bin An-Nu'man bin Shibl Al-Bahili, who reported it from his father, and both of them are extremely weak narrators. Ad-Daraqutni said: "The criticism against this *Hadith* is regarding Ibn An-Nu'man and not An-Nu'man (the father)." This *Hadith* was also recorded by Al-Bazzar and his chain of narration contains Ibrahim Al-Ghifari and he is a weak narrator. Al-Bayhaqi recorded it from 'Umar and he (Al-Bayhaqi) said: "Its chain of narration is unknown."

In reference to the second *Hadith*, it was recorded by Ad-Daraqutni from a man from the family of Hatib, from the Prophet ﷺ with this same mentioned wording. In its chain of narration is an unknown man. Abu Ya'la recorded it in his *Musnad* and Ibn 'Adiy in his *Kamil* and in its chain of narration is Hafs bin Dawud, and he is weak in *Hadith*.

In reference to the third *Hadith*, it was recorded by Ibn Abu Malik ﷺ from the Prophet ﷺ by way of Sulayman bin Zaid Al-Ka'bi, and he is weak in *Hadith* when narrating by way of 'Umar.

Also, there is an unknown narrator in its chain.

Concerning this, there are authentic *Hadiths* reported (concerning visiting graves) for reflection, taking admonition and supplication for the deceased. However, in reference to the *Hadiths* reported about visiting the grave of the Prophet ﷺ specifically, all of them are unauthentic. Actually, it has been said that all of them are fabricated.

Therefore, whoever desires to visit the graves or visit the grave of the Messenger ﷺ in a legislated way for reflection, taking admonition, supplicating for the deceased, sending prayers upon the Prophet ﷺ and asking Allâh to be pleased with his two Companions without traveling or setting out on a journey for that, his visit is legislated and it is hoped that he will be rewarded for it.

However, whoever undertakes a journey and sets out traveling for this visiting, that is not permissible due to the Prophet's statement:

«لَا تُشَدُّ الرِّحَالُ إِلَّا إِلَى ثَلَاثَةِ مَسَاجِدَ: الْمَسْجِدِ الحَرَامِ، وَمَسْجِدِي هَذَا وَالْمَسْجِدِ الْأَقْصَى»

"Do not undertake a (religious) journey except to three mosques: The Sacred Masjid (in Makkah), this mosque of mine (in Al-Madinah), and Al-Masjid Al-Aqsa (in Jerusalem)."[1]

This *Hadith* was recorded by Al-Bukhari and Muslim. This is also due to the *Hadith*:

«لَا تَتَّخِذُوا قَبْرِي عِيدًا وَلَا بُيُوتَكُم قُبُورًا (وَصَلُّوا عَلَيَّ) فَإِنَّ تَسْلِيمَكُمْ يَبْلُغُنِي أَيْنَمَا كُنْتُمْ»

"Do not take my grave as an 'Eid (place of frequenting or celebration) and do not take your houses as graves (i.e., by not praying in them). Rather, send prayers of blessing upon me, for

[1] Al-Bukhari no. 1189, Muslim no. 1397 and Ahmad no. 6/7.

verily your greetings of peace reach me (from) wherever you are."[1]

This was recorded by Muhammad bin 'Abdul-Wahid (Dhiya' ud-Deen) Al-Maqdisi in *Al-Mukhtarah*. And Allâh knows best.

Ash-Shaykh Ibn Baz

The Voluntary *Hajj*

Performing a voluntary *Hajj* or giving a charitable Contribution from one's Wealth for the *Mujahidin*

Q In reference to someone who has already performed the obligation of *Hajj* and he is able to make *Hajj* another time, is it permissible for him to give the value of his *Hajj* expenses in charity to the Muslim *Mujahidin* in Afghanistan instead of performing *Hajj* this second time? This is asked because performing *Hajj* a second time is voluntary and giving in charity for *Jihad* is obligatory. Please give us a beneficial answer, and may Allâh reward you on behalf of the Muslims with a good reward.

A Whoever already performed the obligatory *Hajj*, it is better for him to give in charity the money kept for spending for the second *Hajj* to the *Mujahidin* in the way of Allâh, like the *Mujahidin* of Afghanistan and the *Muhajirin* (immigrants) from Afghanistan seeking refuge in Pakistan. This is due to the statement of the Prophet ﷺ when he was asked which deed was the best. He said:

«إِيمَانٌ بِاللهِ وَرَسُولِهِ»

"Belief in Allâh and His Messenger."

Then the questioner said: "Then what?" He ﷺ replied:

«الْجِهَادُ فِي سَبِيلِ اللهِ»

[1] Musnad Abi Yala no. 469 and Abu Dawud no. 2:42.

"Jihad in the way of Allâh."

Then the questioner said: "Then what?' He ﷺ replied:

«حَجٌّ مَبْرُورٌ»

"A Mabrur Hajj (i.e., a blessed and properly performed Hajj)."[1]

This *Hadith*'s authenticity is agreed upon. Thus, he placed *Hajj* after *Jihad*. This means the optional *Hajj*, because the obligatory *Hajj* is a pillar from the pillars of Islam, if one is able to perform it. In the Two *Sahihs* it is reported from the Prophet ﷺ that he said:

«مَنْ جَهَّزَ غَازِيًا فَقَدْ غَزَىٰ وَمَنْ خَلَفَهُ فِي أَهْلِهِ بِخَيْرٍ فَقَدْ غَزَىٰ»

"Whoever equips a soldier for battle, then he has gone out for battle, and whoever takes care of his family in a good manner after he has left, then he has gone out for battle."[2]

There is no doubt that the *Mujahidin* in the way of Allâh are in the most severe need of material assistance from their brothers, and spending on them is better than spending on an optional *Hajj* due to the two mentioned *Hadiths* and other than them. And success is with Allâh.

Ash-Shaykh Ibn Baz

Should I perform *Hajj* a second time or should I give Charity?

Q I performed the obligation of *Hajj* and I am able to do it again. So, should I give charity with the value of the *Hajj* costs for a second *Hajj* or should I perform *Hajj* again?

A If you are wealthy and you can give charity and perform *Hajj*, then that is better for you. If you are not able (to do

[1] Al-Bukhari no. 26 and Muslim no. 83.
[2] Al-Bukhari no. 2843 and Muslim no. 1895.

both) and you know some poor people who are in extreme need or some charitable projects that are in need of money, then you should pay it to them. That is better than a voluntary *Hajj*. If there is no extreme need present, then performing the *Hajj* again is better.

Ash-Shaykh Ibn Jibreen

He performed *Hajj* on behalf of his father and he did not start his Journey from his father's Birthplace

A man performed *Hajj* this year on behalf of his deceased father, but he did not start the *Hajj* journey from the birthplace of his father. So, he asks about the correctness of that *Hajj*.

It appears from the question of the questioner that he is donating a performance of *Hajj* for his father, so if this is the case, there seems to be no problem with the correctness of his *Hajj* for him, even if he didn't set out on the *Hajj* journey from his father's birthplace.

The Permanent Committee

Helping the *Mujahidin*

An argument occurred between a group of friends and me as we intended to perform *'Umrah* at the end of Ramadhan, while knowing that myself and another friend had previously performed *'Umrah* a number of times. In the end this friend decided not to perform *'Umrah* and to give the expenses of this *'Umrah* in charity or for *Jihad* in the way of Allâh to the *Mujahidin* of Afghanistan. He said that verily this is much better than him using this money to perform *'Umrah*. We hope for a beneficial answer from the eminent Shaykh. Is it better for a person to perform *'Umrah*, even if he has performed *'Umrah* numerous times before, or is it better for him to send the expenses of this *'Umrah* to the *Mujahidin* of

Afghanistan for *Jihad* in the way of Allâh?

What is better for whoever has performed the obligation of *Hajj* and *'Umrah* is to spend what would be used for the voluntary *Hajj* or the voluntary *'Umrah* in helping the *Mujahidin* in the way of Allâh, like the *Mujahidin* of Afghanistan. This is because the legislated Islamic *Jihad* is better than the voluntary performance of *Hajj* and *'Umrah*. This is due to the Prophet's statement when he was asked which deed was best. He ﷺ said:

«إِيمَانٌ بِاللهِ وَرَسُولِهِ»

"Belief in Allâh and His Messenger."

It was said: "Then what?" He replied:

«اَلْجِهَادُ فِي سَبِيلِ اللهِ»

"Jihad in the way of Allâh."

It was said: "Then what?" He replied:

«حَجٌّ مَبْرُورٌ»

"A Mabrur Hajj (i.e., a blessed and properly performed Hajj)."[1]

This *Hadith*'s authenticity is agreed upon. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The *Adhha* Sacrifice

The ruling on the *Adhha* sacrifice and the difference between it and the *Hady* sacrifice of *Hajj*

What is the ruling on the *Adhha* sacrifice and upon whom is it obligatory? Is there a difference between the *Adhha* sacrifice and the *Hady* sacrifice of *Hajj*? Are the *Hajj*

[1] Al-Bukhari no. 26 and Muslim no. 83.

pilgrims obligated to perform an *Adhha* sacrifice also or not? How, when and where did the Messenger of Allâh ﷺ perform the *Adhha* sacrifice? Likewise, we would like for your eminence to mention some notes concerning what is reported from the Prophet ﷺ that he said:

«مَنْ كَانَ عِنْدَهُ سَعَة وَلَمْ يُضَحِّ فَلَا يَقْرَبَنَّ مُصَلَّانَا»

"Whoever has the ability and he does not perform the Adhha sacrifice, then let him not come near our place of prayer (for 'Eid)."

Or as he ﷺ said it. May Allâh reward you with good.

The *Adhha* sacrifice is *Sunnat Mu'kkadah* (i.e., compulsory) according to the most correct view from the opinions of the people of knowledge. It is stressed upon whoever can afford it from his wealth. This is because it is from the most stressed forms of legislated worship on the day of *'Eidul-Adhha* and the days of *At-Tashreeq*. Indeed the Prophet ﷺ always performed it in Al-Madinah. He would slaughter two horned rams of *Adhha* every year, as is confirmed in the two *Sahihs* from a *Hadith* of Anas ﷺ. The difference between it (the *Adhha* sacrifice) and the *Hady* sacrifice is that the *Hady* of *At-Tamattu'* and *Al-Qiran* is an obligation from the obligations of *Hajj*. This is due to the Statement of Allâh:

﴿فَمَن تَمَتَّعَ بِٱلْعُمْرَةِ إِلَى ٱلْحَجِّ فَمَا ٱسْتَيْسَرَ مِنَ ٱلْهَدْيِ﴾

"So whoever performs the 'Umrah in the months of the Hajj, before (performing) the Hajj, (i.e. Hajjut-Tamattu' and Al-Qiran), he must slaughter a Hady such as he can afford."[1]

In reference to the *Adhha* sacrifice, it is not obligatory according to the correct opinion, due to the lack of a clear, authentic text that alludes to its obligation. Also from the difference between them is that it is legislated that the *Hady* sacrifice be slaughtered

[1] *Al-Baqarah* 2:196.

in Mina and the remaining area of the *Haram*. However, it is legislated to slaughter the *Adhha* sacrifice in every place. Other than that, their rulings are one in the same, such as the time of the slaughtering, the required conditions for the acceptability of the animals, eating from them, giving charity from them and other things. In reference to the *Hadith*:

«مَنْ وَجَدَ سَعَةً فَلَمْ يُضَحِّ فَلَا يَقْرُبَنَّ مُصَلَّانَا»

"Whoever finds the financial ability and he does not perform an Adhha sacrifice, let him not come near our place of prayer (for 'Eid)."[1]

Al-Hafiz said about it in *Al-Bulugh*: "This was recorded by Ahmad, and Ibn Majah, and it was graded authentic by Al-Hakim, but the Imams other than him have considered it most likely to be only a statement of the Companion who narrated it (i.e., *Mawqoof*)." Along with this, it is not clear in declaring this act obligatory, even if it were authentic as being attributed to the Prophet ﷺ (i.e., *Marfoo'*). Indeed it has been authenticated from him ﷺ that he said:

«مَنْ أَكَلَ ثُومًا أَوْ بَصَلًا فَلْيَعْتَزِلْ مَسْجِدَنَا»

"Whoever ate garlic or onions, let him not come near our place of prayer."[2]

However, the people of knowledge do not consider that this necessitates the prohibition of garlic and onions. They only use it as an evidence for the dislike of his (the person who ate them) presence for the prayer with the Muslims, due to what that contains of disturbance for them because of its foul odor. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

[1] Ahmad 2/321.
[2] Al-Bukhari no. 855.

The ruling for removing the Hair for whoever intends to perform an *Adhha* sacrifice

Q What is the ruling on the person removing some of his hair during the 10 days of Thul-Hijjah while he has intended to perform the *Adhha* sacrifice, regardless of whether it was intentional or forgetfully? If the woman becomes pure from her menses during the 10 days of Thul-Hijjah and she intended to perform the *Adhha* sacrifice, can she comb her hair or not? We hope from your honor a beneficial answer. May Allâh reward you, on behalf of the Muslims and us, with the best of rewards.

A Whoever wants to perform the *Adhha* sacrifice, he may not remove any of his hair or his nails or his skin once the 10 days of Thul-Hijjah have began until he performs his *Adhha* sacrifice. This is because the Prophet ﷺ prohibited that in the authentic *Hadith* that was reported by Imam Muslim in his *Sahih* from Umm Salamah ﵂. If the menstruating woman and the woman with postnatal bleeding become pure during the 10 days of Thul-Hijjah and they want to perform the *Adhha* sacrifice, they may not remove any of their hair or their nails or anything from their skin. This applies to them just like others besides them among the Muslims who decide to perform the *Adhha* sacrifice. However, there is no sin on them if they undo their hair or comb it at the time of bathing, but they should not intentionally cut anything from their hair. In reference to what falls from the hair while undoing or combing it - unintentionally - there is no sin on them for that. Likewise, whoever removes any of his hair or nails or anything from his skin during the 10 days forgetfully or ignorantly while he is intending to perform the *Adhha* sacrifice, there is no sin on him. This is because Allâh does not hold his servants accountable for unintentional errors or forgetfulness regarding this matter and similar matters. Whoever does that intentionally, he must repent to Allâh and there is nothing due on him. In reference to the family of the

person who is performing the *Adhha* sacrifice, there is no sin on them and they are not prohibited from removing their hair and nails according to the most correct view among the opinions of the scholars. The ruling regarding this is specifically related to the person who performs the *Adhha* sacrifice, particularly the one who buys the *Adhha* animal from his wealth. Likewise, there is nothing due on those who are appointed to perform the sacrifice for others, because they are not considered as performing the *Adhha* sacrifice for themselves. The people performing the *Adhha* sacrifice are only those who appointed them to do the slaughter for them. May Allâh help everyone to gain beneficial knowledge and act according to it.

Ash-Shaykh Ibn Baz

The one who performs the *Adhha* sacrifice with his Wealth should not remove any of his Hair

Q Who is the person for whom it is forbidden to remove anything from his hair or his nails during the 10 days of Thul-Hijjah? Is it the person who slaughters the animal or the person for whom the *Adhha* sacrifice is for if he is alive, regardless of whether it is for him alone or with a group?

A The person for whom it is forbidden to remove anything from his hair or nails or anything of his skin after the month of Thul-Hijjah begins, is the one who performs the sacrifice with his wealth for himself or for someone else or for himself and someone else together. This is due to the statement of the Prophet ﷺ:

«إِذَا دَخَلَ شَهْرُ ذِي الْحِجَّةِ، وَأَرَادَ أَحَدُكُمْ أَنْ يُضَحِّيَ، فَلْيَمْسِكْ عَنْ شَعْرِهِ وَأَظْفَارِهِ»

"When the month of Thul-Hijjah begins and one of you wants to perform the Adhha sacrifice, then he should not remove any of his

hair or his nails or his skin."[1]

This was recorded by Imam Muslim in his *Sahih* from a *Hadith* of Umm Salamah ﷺ. In reference to whoever the sacrifice is performed on his behalf, like the children of the one performing the sacrifice and his wife, if he performs the sacrifice for himself and his household members, it is not forbidden for them to remove their hair and nails. This is because they are not performing the *Adhha* sacrifice. The one who is actually performing the sacrifice is the one who pays the price of the sacrifice from his wealth according to the most correct opinion of the scholars. Likewise, the person who is appointed to perform the slaughter (for someone else), there is no sin on him for removing some of his hair and nails, because he is not the person performing the *Adhha* sacrifice. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Those who share in buying the *Adhha* sacrificial Animal should not remove any of their Hair

Q I am a widow and I have sons and a daughter and we all live in one house. Likewise, our wealth and our possessions are one (i.e., shared). We have not separated our possessions since the death of my husband. Every year we give the responsibility of buying an *Adhha* sacrificial animal for us to one of my sons and he slaughters it. So, who is the person who is required to abstain from removing anything from his hair and nails during the 10 days of Thul-Hijjah? Are we all required to refrain from this?

A If the matter is like what was mentioned in the question of the family sharing in wealth and the *Adhha* sacrifice, then all of you are considered as performing the *Adhha* sacrifice. It is not permissible for anyone of you to remove any of his hair or nails or anything from his skin after the entrance of the month

[1] Muslim no. 1977.

of Thul-Hijjah until the *Adhha* animal is sacrificed. This is due to the statement of the Prophet ﷺ:

«إِذَا دَخَلَ شَهْرُ ذِي الْحِجَّةِ، وَأَرَادَ أَحَدُكُمْ أَنْ يُضَحِّيَ، فَلْيَمْسِكْ عَنْ شَعْرِهِ وَأَظْفَارِهِ»

"When the month of Thul-Hijjah enters and one of you wants to perform an Adhha sacrifice, he should not remove anything from his hair or his nails or his skin."[1]

This was recorded by Imam Muslim in his *Sahih* from a *Hadith* of Umm Salamah ﵂. And success is from Allâh.

Ash-Shaykh Ibn Baz

If someone else performs the *Adhha* sacrifice for a Person, can he shave his Hair or not?

Q A person wants a man to perform the *Adhha* sacrifice for him and the first 10 days of Thul-Hijjah have begun. Therefore, is it permissible for these two people to remove any of their hair or is it permissible for one of them and not permissible for the other or is it not permissible for both of them? And what is the ruling concerning a person who lost his sheep that he intended to sacrifice for the *Adhha* sacrifice, then he finds it after the days of slaughtering are over?

A It is reported in the authentic *Hadith*:

«إِذَا دَخَلَ شَهْرُ ذِي الْحِجَّةِ، وَأَرَادَ أَحَدُكُمْ أَنْ يُضَحِّيَ، فَلْيَمْسِكْ عَنْ شَعْرِهِ وَأَظْفَارِهِ»

"When the month of Thul-Hijjah enters and one of you wants to perform an Adhha sacrifice, he should not remove anything from his hair or his nails or his skin."[2]

[1] Muslim no. 1977.
[2] Muslim no. 1977.

The Prophet ﷺ did not mention the person who has someone other than himself perform the *Adhha* sacrifice for him. However, some of the scholars considered it (removing hair, etc.) also disliked for the person who has someone else perform the sacrifice for him. Yet, whoever removes some of his hair is not required to offer a ransom of atonement and his *Adhha* sacrifice is not nullified nor should he leave off the sacrifice. It is accepted from him if Allâh wills.

If the person decides to perform the *Adhha* sacrifice and he buys it, but then he loses the animal and cannot find it until after the days of slaughter are over, he is not required to slaughter it, unless it was an obligation under his responsibility, by a vow or a specific stipulation. If he still slaughters it in this situation and gives its meat away in charity like the *Adhha* sacrifice, he gets reward if Allâh wills. If he slaughtered another animal in its place during the days of the *'Eid*, he is not required to slaughter another.

Ash-Shaykh Ibn Jibreen

The ruling on washing the Head and combing it during the 10 days of Thul-Hijjah for whoever wants to perform the *Adhha* sacrifice

Is it permissible for one to comb his hair during the 10 days of Thul-Hijjah?

There is no harm in washing the head and gently combing the hair during the 10 days of Thul-Hijjah. It does not harm if some hair falls out and it does not decrease the reward of the sacrifice, if Allâh wills. Likewise, if the person intentionally removes some hair or clips the nails, he should not leave off the sacrifice because of that. Rather, the reward of the sacrifice is complete, if Allâh wills.

Ash-Shaykh Ibn Jibreen

The ruling on combing the Beard for the Person who wants to perform the *Adhha* sacrifice

Q I want to perform the *Adhha* sacrifice and after the 10 days of Thul-Hijjah begin, I comb the hair of my beard and some hair fall from it when combing it. So, should I comb it or not?

A Whatever falls from the beard unintentionally while combing it is pardoned, because it is considered dead hair. Likewise, whatever falls from the head of someone in *Ihram* and from his beard unintentionally at the time of *Wudhu'* and bathing is pardoned, as it is considered dead hair. This ruling applies to whoever wants to perform the *Adhha* sacrifice after the entry of the 10 days (of Thul-Hijjah). It is only forbidden to intentionally cut something from that while in *Ihram* or after the entry of the 10 days of Thul-Hijjah for whoever wants to perform the *Adhha* sacrifice. In reference to the hair of the beard, it is not permissible to intentionally cut anything from it - not during *Ihram*, nor during any other time. This is due to the statement of the Prophet ﷺ:

«قُصُّوا الشَّوَارِبَ وَأَعْفُوا اللُّحٰى (خَالِفُوا الْمُشْرِكِينَ)»

"Cut the moustaches and leave the beards. Be different from the Mushrikin (i.e., polytheists, idolaters, those who associate partners with Allâh)."[1]

This *Hadith* is agreed upon. And success is from Allâh.

Ash-Shaykh Ibn Baz

He shaved his Hair before the *'Eid* prayer while he intended to perform the *Adhha* sacrifice

Q What is the ruling on whoever shaved his hair on the day of *'Eidul-Adhha* before going to the prayer? This is

[1] Ahmad 2/229 and Al-Bukhari no. 5892.

while knowing that he was advised not to do that, but he persisted in shaving before the prayer.

It is forbidden for whoever wants to perform the *Adhha* sacrifice to shave his hair or cut his nails during all of the 10 days of Thul-Hijjah until he performs the sacrifice. However, if he shaved or clipped his nails, that does not nullify his sacrifice and he does not have to offer a ransom of atonement. He has done wrong in his action, but he should not leave off the sacrifice. And Allâh is the Giver of success.

Ash-Shaykh Ibn Jibreen

He intended to perform the *Adhha* sacrifice, then he removed some of his Hair

What is the ruling on whoever intended to perform the *Adhha* sacrifice for himself, then he shaved his hair or clipped his nails during the 10 days of the month of Thul-Hijjah unintentionally?

It is not permissible for whoever has a sacrificial animal that he has designated for the *Adhha* sacrifice to remove any of his hair or nails when the month of Thul-Hijjah has begun, until he sacrifices the animal. This is due to what Muslim recorded in his *Sahih* from Umm Salamah k that she said, "The Messenger of Allâh ﷺ said:

«مَنْ كَانَ لَهُ ذِبْحٌ يَّذْبَحُهُ، فَإِذَا أُهِلَّ هِلَالُ ذِي الْحِجَّةِ، فَلَا يَأْخُذَنَّ مِنْ شَعْرِهِ وَلَا مِنْ أَظْفَارِهِ شَيْئًا، حَتَّى يُضَحِّيَ»

"Whoever has a sacrificial animal that he wants to slaughter, when the new moon of Thul-Hijjah appears he should not remove any of his hair or his nails until he performs the Adhha sacrifice."[1]

[1] Muslim no. 1977.

So, if the person opposes this and removes anything from his hair or his nails, he should seek Allâh's forgiveness and he is not required to offer a ransom of atonement, even if he did that intentionally.

May Allâh send prayers of blessing and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

What is best concerning the *Adhha* sacrifice

Q Which of them is best for the *Adhha* sacrifice, a ram or a cow?

A The best animal to slaughter for the *Adhha* sacrifice is the camel, then the cow, then the sheep, then to share in the slaughter of a she-camel or a cow. This is due to the Prophet's statement concerning *Al-Jumu'ah*:

«مَنْ رَاحَ فِي السَّاعَةِ الْأُولَى فَكَأَنَّمَا قَرَّبَ بَدَنَةً، وَمَنْ رَاحَ فِي السَّاعَةِ الثَّانِيَةِ فَكَأَنَّمَا قَرَّبَ بَقَرَةً، وَمَنْ رَاحَ فِي السَّاعَةِ الثَّالِثَةِ فَكَأَنَّمَا قَرَّبَ كَبْشًا أَقْرَنَ، وَمَنْ رَاحَ فِي السَّاعَةِ الرَّابِعَةِ فَكَأَنَّمَا قَرَّبَ دَجَاجَةً، وَمَنْ رَاحَ فِي السَّاعَةِ الْخَامِسَةِ فَكَأَنَّمَا قَرَّبَ بَيْضَةً»

"Whoever goes (to the Jumu'ah prayer) during the first hour, it is as if he sacrificed a camel; and whoever goes during the second hour, it is as if he sacrificed a cow; and whoever goes during the third hour, it is as if he sacrificed a horned ram; and whoever goes during the fourth hour, it is as if he sacrificed a chicken; and whoever goes during the fifth hour, it is as if he sacrificed an egg."[1]

The point of proof from this is the presence of some preference in drawing near to Allâh, between the camels, the cows and the sheep. There is no doubt that the *Adhha* sacrifice is from the

[1] Al-Bukhari no. 881. Muslim no. 850.

greatest forms of drawing near to Allâh, and the camel is the most expensive animal, with the most meat and the most benefit. This was the view held by the three Imams, Abu Hanifah, Ash-Shafi'i and Ahmad. Malik said that the one-year-old sheep was the best, then the cow, then the camel, because the Prophet ﷺ sacrificed two rams and he would only do what was best. The answer to this is that it is said that he ﷺ might chose that which was not the best as a way of being gentle with his *Ummah*, because they would follow him and he did not like to make things difficult for them. However, he explained the virtue of the camel over the cows and the sheep as was mentioned previously. And Allâh knows best.

The Permanent Committee

The ruling on the *Adhha* sacrifice on behalf of the Deceased!

Q What is the ruling on the *Adhha* sacrifice, and is it permissible on behalf of the deceased?

A The *Adhha* sacrifice is *Sunnat Mu'kkadah* (i.e., compulsory) according to the view of most of the scholars. This is because the Prophet ﷺ performed the *Adhha* sacrifice and encouraged his *Ummah* to perform the sacrifice. The basic principle concerning it is that its performance is desired during its time by the person who is alive, for himself and the members of his household. He may allow whomever he wishes to share in its reward from the living and the deceased.

In reference to the *Adhha* sacrifice on behalf of the deceased, if he willed that it should be performed from a third of his wealth for example, or he made it a part of a donation (*Waqf*) that he gave, it is obligatory upon whoever is in charge of the donation or will to carry it out. If he did not will it nor did he make it a donation, and a person simply wants to perform the sacrifice on behalf of his father or his mother or other than them, then that is good. This is considered a type of charity on behalf of the

deceased, and giving charity on behalf of the deceased is legislated according to the view of *Ahlus-Sunnah wal-Jama'ah*.

In reference to giving charity with the price of the *Adhha* sacrifice based upon the fact that the charity is better than the slaughtering, if the *Adhha* sacrifice was requested in a donation (*Waqf*) or a will, it is not permissible for the trustee to change it to charity with its price. However, if the *Adhha* sacrifice is an act of optional beneficence on behalf of someone else, then the matter is easy and not strict. In reference to the *Adhha* sacrifice of a Muslim person who is alive and on behalf of the members of his household, it is *Sunnat Mu'kkadah* (i.e., compulsory) for whoever is able to do it. And slaughtering it is better than giving charity with its price. And success is from Allâh.

Ash-Shaykh Ibn Baz

The *Adhha* sacrifice is legislated on behalf of the Living Person or the Deceased

Q Is it permissible to perform the *Adhha* sacrifice for the deceased? I would like some clarification of the evidence. Also, what is the ruling on giving its value in money in charity?

A The *Adhha* sacrifice is legislated on behalf of the living and the deceased. This is because the Prophet ﷺ used to perform the *Adhha* sacrifice with one sheep for himself and his family members in Al-Madinah, and some of them were deceased like Khadijah ﷺ and his two daughters, Ruqayyah and Umm Kulthum. This is also because it is an act of charity and drawing near (to Allâh), so it is similar to all the other types of charity. It is stressed more for the living due to the Prophet's action and his statement:

«إِذَا دَخَلَ شَهرُ ذِي الْحِجَّةِ، وَأَرَادَ أَحَدُكُمْ أَنْ يُضَحِّيَ فَلَا يَأْخُذ مِنْ شَعْرِهِ وَلَا مِنْ ظَفَرِهِ شَيْئًا»

"When the month of Thul-Hijjah enters and one of you wants to perform the Adhha sacrifice, he should not remove any of his hair or nails."[1]

This was recorded by Muslim in his *Sahih* from a *Hadith* of Umm Salamah ﷺ.

In reference to what some of the *Fiqh* scholars have mentioned regarding this issue of the prohibition of the person for whom the sacrifice is being performed removing any of their hair or nails, I do not know of any evidence for it that is reliable. Only the person who is performing this *Adhha* sacrifice for himself, who sacrifices the animal from his wealth is addressed with this command. In reference to his wife and his children, they are not prohibited from removing any of their hair or nails, because they are not offering the sacrifice. The sacrifice is only being performed on their behalf by the one who takes care of them, so he is the one addressed with this prohibition.

Slaughtering the animal is better than giving charity with its price due to what that contains of reviving the Sunnah and manifesting it, and following the Prophet ﷺ and his Companions ﷺ. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on dedicating the *Adhha* sacrifice to the Deceased

Q Is it permissible to dedicate the *Adhha* sacrifice to the deceased?

A The *Adhha* sacrifice is an act of drawing near to Allâh by slaughtering or sacrificing livestock animals during the days of *'Eidul-Adhha*, which is during the day of the *'Eid* and the three days following it. It is done with the purpose of drawing near to Allâh. It is a Sunnah for the living person. The sacrifice is

[1] Muslim no. 1977.

done for him and his household members as the Prophet ﷺ did.

If the person slaughters the *Adhha* sacrifice for himself and the members of his household and he intends that its reward will be for him and his family members, both the living and the dead among them, verily there is no harm in that. In reference to the *Adhha* sacrifice that is specifically for the deceased, it has two situations:

The First Situation: That the deceased willed that this be done. So, if he willed this *Adhha* sacrifice to be performed, then it is done in carrying out the will. This is due to Allâh's Statement when He mentioned the will:

﴿فَمَنۢ بَدَّلَهُۥ بَعۡدَمَا سَمِعَهُۥ فَإِنَّمَآ إِثۡمُهُۥ عَلَى ٱلَّذِينَ يُبَدِّلُونَهُۥٓۚ إِنَّ ٱللَّهَ سَمِيعٌ عَلِيمٞ ١٨١ فَمَنۡ خَافَ مِن مُّوصٖ جَنَفًا أَوۡ إِثۡمٗا فَأَصۡلَحَ بَيۡنَهُمۡ فَلَآ إِثۡمَ عَلَيۡهِۚ إِنَّ ٱللَّهَ غَفُورٞ رَّحِيمٞ ١٨٢﴾

"Then whoever changes the bequest after hearing it, the sin shall be on those who make the change. Truly, Allâh is All-Hearer, All-Knower. But he who fears from a testator some unjust act or wrongdoing, and thereupon he makes peace between the parties concerned, there shall be no sin on him. Certainly, Allâh is Oft-Forgiving, Most Merciful."[1]

For verily these two Verses prove that the will of the deceased should be carried out as long as it is not a sin or an act of injustice.

The Second Condition: That the *Adhha* sacrifice be performed on behalf of the deceased by the initial decision of someone else. This is something that the scholars differ concerning, as to whether it is legislated or not. Among them there are those who say that it is legislated, like the *Adhha* sacrifice for the living and like charity for the dead. Among them there are those who say that it is not legislated because that is not reported from the

[1] *Al-Baqarah* 2:181-182.

Prophet ﷺ. For indeed people died among the Prophet's relatives and his wives, but it is not reported from him that he performed the *Adhha* sacrifice specifically for each one of them. His three daughters and his three sons died, but he did not perform a sacrifice for any one of them. His uncle Hamzah ﷺ was martyred at the battle of Uhud, but he did not perform a sacrifice for him. His two wives, Khadijah and Zainab bint Khuzaymah died, but he did not perform a sacrifice for them. If this were from the legislated matters, the Prophet ﷺ would have done it. However, I say if you want to perform the *Adhha* sacrifice on behalf of the deceased, sacrifice for yourself and your household members and make intentions that it is for you and your relatives, both the living and the deceased among them. And the bounty of Allâh is vast.

Ash-Shaykh Ibn 'Uthaimin

It is permissible for the Woman to perform the slaughter of the *Adhha* Animal for herself if there is a need for that

Q If the time for the sacrifice comes and there is no man in the household, is it permissible for the woman to slaughter the animal for the *Adhha* sacrifice?

A Yes, it is permissible for the woman to perform the slaughter of the *Adhha* sacrifice or any other slaughter if there is a need for that, whenever the other conditions are fulfilled for the slaughter.

It is Sunnah during the slaughter of the *Adhha* to mention the name of whomever the slaughter is intended for, whether they are alive or dead. If this is not done, the intention is sufficient. If the name of someone other than the person for whom the sacrificial animal is meant for is mentioned mistakenly, there is no harm in that. For Allâh knows best the intentions. And Allâh is the Giver of success.

Ash-Shaykh Ibn Jibreen

The ruling on eating from the *Adhha* sacrifice

Is it allowed for the person who performs the *Adhha* sacrifice to eat from the meat of his sacrifice?

It is recommended for whoever has a sacrificial animal for *Adhha* to not eat any of it until he has offered the *'Eid* prayer. Then he slaughters his sacrificial animal and he eats from it. He makes it the first thing that he eats from if that is easy for him. This is the view of most of the people of knowledge, including 'Ali, Ibn 'Abbas, Malik, Ash-Shafi'i and others besides them. At-Tirmithi and Al-Athram both recorded from Buraidah that he said: "The Prophet ﷺ used not to go out on the day of (*'Eid*) *Al-Fitr* until he had eaten breakfast, and he would not eat on the day of (*'Eid*) *Al-Adhha* until he had prayed (i.e., the *'Eid* prayer)."

In the narration of Al-Athram, he said: "until he had sacrificed his *Adhha* animal." Imam Ahmad said: "He does not eat during that day until he returns (home after sacrificing) if he had an animal to slaughter, because the Prophet ﷺ ate from his slaughtered animal." If he does not have a slaughter animal, it makes no difference if he eats (beforehand), and there is no sin on him in eating before the prayer or after it from other than his sacrificial animal. And Allâh knows best.

The Permanent Committee

The Meat of the *Adhha* sacrifices is permissible for the wealthy and the poor

What is the ruling on whoever takes from the meat on the 10th day of Thul-Hijjah while he is well-off and he does not need it?

That is permissible. For verily, the meat of the *Hady* sacrifice and the *Adhha* sacrifice and the *Hady* of *At-Tamattu'* and *Al-Qiran* and similar sacrifices is lawful for every

Hajj pilgrim, whether wealthy or poor. Especially if the meat is likely to spoil like many of the sacrifices that are thrown away and burned or buried, and no benefit is derived from them. Indeed Allâh said:

﴿فَكُلُوا مِنْهَا وَأَطْعِمُوا الْقَانِعَ وَالْمُعْتَرَّ﴾

"So eat from it and feed the poor who does not ask (people), and the beggar who asks (people)."[1]

This means the person who refrains from asking and the person who is seeking it.

Ash-Shaykh Ibn Jibreen

The ruling on giving some of the Meat of the *Adhha* sacrifice as a Gift to a Disbeliever

Q Is it permissible for the person who performs the *Adhha* sacrifice to give a disbeliever some of the meat from his sacrifice?

A It is recommended regarding the *Adhha* sacrifice to divide its meat into three shares: a third for the person who performed the sacrifice, a third for his friend(s) and a third for the poor people. It is permissible to give a disbeliever some of it due to his poverty or his being a relative or his being a neighbor or to attract his heart to Islam.

The Permanent Committee

The *'Aqeeqah* and the Laws Pertaining to the Newborn Child

The ruling on the *'Aqeeqah* of the newborn Child

Q What is the meaning of the *'Aqeeqah* of the newborn child, and is it *Fardh* (obligatory) or *Sunnah* (supererogatory)?

[1] *Al-Hajj* 22:36.

The *'Aqeeqah* of the newborn child is the sacrificial animal that is slaughtered in seeking nearness to Allâh and thanking him for the blessing of the newborn child on the 7th day after its birth. The people of knowledge have differed over whether it is *Sunnah* or *Fardh*. Most of the people of knowledge hold the view that it is *Sunnat Mu'kkadah* (compulsory). Even Imam Ahmad said, "He borrows and performs the *'Aqeeqah* sacrifice. Meaning that the person who does not have any money should borrow the money and perform the *'Aqeeqah*, and Allâh will take care of his debt for him because he revived a Sunnah." The intent of his statement 'He borrows' is in reference to the person who hopes to be able to repay the debt in the future. In reference to the person who does not think that he will be able to repay the debt in the future, he should not borrow money to perform the *'Aqeeqah*. This statement from Imam Ahmad is evidence that it (the *'Aqeeqah*) is *Sunnnat Mu'kkadah* (compulsory), and that is the fact. Therefore, the person should slaughter two sheep for the *'Aqeeqah* of a male child and one sheep for the female child, and this should be done on the 7th day. The person eats from it, gives some of it away as a gift and gives some of it in charity. There is no harm if he gives some of it away in charity and gathers his relatives and neighbors to eat from its cooked meat with other food.

Ash-Shaykh Ibn 'Uthaimin

The Laws of the *'Aqeeqah* and its ruling

What is the ruling on the slaughter of the *'Aqeeqah* for the newborn child, regardless of whether it is a boy or a girl? Is it obligatory to slaughter two sheep for a boy? What is the ruling if I slaughtered only one sheep (for a boy) and a long period of time passed? What is the ruling regarding the *'Aqeeqah* if the grandfather slaughtered for his grandson? What is its ruling if someone helps him in paying the price to purchase it? What is the ruling concerning holding a party for the *'Aqeeqah*? And what must be done with it (the *'Aqeeqah* meat)?

The *'Aqeeqah* is the sacrificial animal that is slaughtered for the newborn child and it is *Sunnat Mu'kkadah* (compulsory). Some of the scholars hold the view that it is obligatory due to the Prophet's statement:

«كُلُّ غُلَامٍ مُرْتَهَنٌ بِعَقِيقَتِهِ تُذْبَحُ يَومَ سَابِعِهِ وَيُسَمَّى»

"Every child is a pledge for his 'Aqeeqah. It is to be slaughtered on the 7th day after his birth and he is named (on that day)."[1]

However, this *Hadith* supports its emphasis, so the basic principle is the lack of obligation. The Sunnah is that two sheep are slaughtered for the male child or even two goats, and one sheep for the female child. If the person only slaughters one sheep for the boy, that will suffice, if Allâh wills. Likewise, it is permissible to separate between the two sheep by slaughtering the first after a week and the second after two weeks, but it is opposed to what is best (i.e., to slaughter them both together). The fundamental principle is that it (the *'Aqeeqah*) is obligatory on the father as a sign of thanks to Allâh, the Most High, Who provided him with the child. If the grandfather performs the sacrifice for the child or his brother or someone else, that is sufficient. Likewise, if some other people pay some of its price that is acceptable. The Sunnah is that the person performing the sacrifice eats a third of it, gives a third of it away as a gift to his friends and gives a third of it in charity to the Muslims. It is permissible for him to invite his friends and relatives to eat it or to give all of it away in charity.

Ash-Shaykh Ibn Jibreen

The *'Aqeeqah* is legislated for the newborn Child and it is not for the Deceased

My mother died and I want to have an *'Aqeeqah* for her. But when I asked one of the *Imams* he said that the *'Aqeeqah* is performed for the living and not the deceased. So,

[1] Abu Dawud no. 2837 and At-Tirmithi no. 1522.

what is the ruling of the Islamic law regarding this?

The *'Aqeeqah* is not legislated for the deceased and it is only legislated on the 7th day after the birth of the person, when it is legislated for the child's father to slaughter a sheep for the child. It should be two sheep for the male child and one sheep for the female child. If the father is not wealthy and he does not have a lot of money, and he sacrifices one sheep for the male child, that suffices him.

The *'Aqeeqah* is slaughtered on the 7th day and it is eaten from, given away in charity and given away as gifts. There is no harm in the Muslim inviting his relatives and his neighbors to eat from it. The scholars have said that if he is not able to perform the sacrifice on the 7th day, he may do it on the 14th day, and if he cannot do it on the 14th day, he may do it on the 21st day, and if he cannot do it then, he may do it at any time he wishes.

In reference to the deceased, an *'Aqeeqah* is not slaughtered for him. However, supplications may be made for his forgiveness, mercy upon him and general supplications. If the reward of a righteous deed is dedicated to the deceased, like a person giving something in charity on his behalf or the Muslim praying two *Rak'ahs* or reciting some of the Qur'an and intending the reward to be for him, there is no harm in that. However, supplicating for him is better than all of this, because it is that which the Prophet ﷺ directed to do.

Ash-Shaykh Ibn 'Uthaimin

Delaying the *'Aqeeqah* past the 7th Day is opposed to the Sunnah

An *'Aqeeqah* was given after the death of a little girl and her age at the time of her death was a year and a half. Was the *'Aqeeqah* performed according to its natural way or not? Does this little girl benefit her parents in the Hereafter? Please give us a beneficial answer concerning this?

Yes, this *'Aqeeqah* is acceptable, but delaying past the 7th day after the child's birth is opposed to the Sunnah. Also, every male or female child that dies while they are young, Allâh will cause them to benefit whoever was patient among their believing parents.

The Permanent Committee

Whoever is not able to perform the *'Aqeeqah*, it is not due on him

I did not perform the sacrifice for the births of my children due to my lack of financial ability, so what is the ruling?

As long as you were not able to carry out this action, there is nothing due on you. This is because Allâh says:

﴿فَٱتَّقُواْ ٱللَّهَ مَا ٱسْتَطَعْتُمْ﴾

"So fear Allâh as much as you are able." [1]

He also says:

﴿لَا يُكَلِّفُ ٱللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allâh does not burden a soul except with what it can bear." [2]

And the Prophet ﷺ said:

«إِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأْتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

"If I command you to do something, do it as much as you are able."[3]

So, if the person is poor at the time of his child's birth, there is no sacrifice for birth due on him, because he is unable, and the acts of worship are not required if there is a lack of ability to perform them.

Ash-Shaykh Ibn 'Uthaimin

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[1] *At-Taghbun* 64:16.
[2] *Al-Baqarah* 2:286.
[3] Al-Bukhari no. 7288, Muslim no. 1337 and Ahmad 2/508.

The *'Aqeeqah* for the miscarried Child

Q Is there an *'Aqeeqah* for the miscarried infant that is clearly a male or female? Likewise, concerning the newborn child who is born and then it dies after some days, and an *'Aqeeqah* was not performed for it during its life, is an *'Aqeeqah* performed for it after its death? Also, if a month passes after the birth of the newborn child, or two months or half a year or a year or more, and an *'Aqeeqah* was not performed for it, should an *'Aqeeqah* be performed or not?

A The majority of the *Fiqh* scholars hold the view that the *'Aqeeqah* is Sunnah (recommended) due to what Ahmad, Al-Bukhari and the *Sunan* compilers recorded from Salman bin 'Aamir from the Prophet ﷺ, who said:

«مَعَ الْغُلَامِ عَقِيقَةٌ فَأَهْرِيقُوا عَنْهُ دَمًا، وَأَمِيطُوا عَنْهُ الْأَذَى»

"With the child is an 'Aqeeqah, so shed blood on his behalf and remove the harm from him."[1]

This is also due to what Al-Hasan reported from Samurah that the Prophet ﷺ said:

«كُلُّ غُلَامٍ رَهِينَةٌ بِعَقِيقَتِهِ، تُذْبَحُ عَنْهُ يَوْمَ سَابِعِهِ وَيُحْلَقُ وَيُسَمَّى»

"Every child is a pledge for his 'Aqeeqah. It is slaughtered for him on the 7th day after his birth, his head is shaved and he is named."[2]

This was recorded by Ahmad and the *Sunan* compilers, and At-Tirmithi graded it authentic. It is also due to what 'Amr bin Shu'ayb reported from his father from his grandfather that the Prophet ﷺ said:

«مَنْ أَحَبَّ مِنْكُمْ أَنْ يَنْسُكَ عَنْ وَلَدِهِ فَلْيَفْعَلْ، عَنِ الْغُلَامِ شَاتَانِ مُكَافِئَتَانِ

[1] Al-Bukhari no. 1337 and Al-Bukhari no. 7288.
[2] Abu Dawud no. 2838.

وَعَنِ الْجَارِيَةِ شَاةٌ»

"Whoever among you likes to perform a sacrifice for his child, then let him do so. Two equal sheep for the boy and one sheep for the girl."[1]

This was recorded by Ahmad, Abu Dawud and An-Nasa'i with a good chain of narration.

There is no *'Aqeeqah* for the miscarried child, even if it is clear whether it is a boy or a girl, if it is miscarried before the soul has been blown into it, because it is not called a child or a newborn. The *'Aqeeqah* is slaughtered on the 7th day after the birth.

If the child is born alive and it dies before the 7th day, it is Sunnah to perform the *'Aqeeqah* for it on the 7th day. If the 7th day passes and the *'Aqeeqah* is not performed for it, some of the *Fiqh* scholars held the view that it is not Sunnah to perform the *'Aqeeqah* for it after that. This is because the Prophet ﷺ designated the time as the 7th day.

The Hanbali scholars and a group of the *Fiqh* scholars went with the view that it is Sunnah to perform the *'Aqeeqah* for the child even if it is after a month or a year or more, from the time of its birth. This is due to the generality of the confirmed *Hadiths* and due to what Al-Bayhaqi recorded from Anas ﷺ that the Prophet ﷺ performed an *'Aqeeqah* for himself after he was missioned (with the Prophethood), and this is the safest view.

The Permanent Committee

The *'Aqeeqah* is performed for the miscarried Child also

Q Is the *'Aqeeqah* required for the three stillborn infants, who are the following:

The first: The woman delivered it after being pregnant for

[1] Abu Dawud no. 2842 and Ahmad 2/182.

only 3 days less than 4 months.

The second: The woman delivered it after being pregnant for only 3 months and 17 days.

The third: The woman delivered it after being pregnant for only 2 months.

And all of these three stillborn infants were males.

Also, do these three stillborn infants count as my children on the Day of Resurrection, and what will be their ages at the time of the resurrection on the Day of Resurrection?

The *'Aqeeqah* is *Sunnah* (supererogatory) on behalf of the miscarried child if its miscarriage occurred after the soul was blown into it. This occurs when the pregnancy of his mother lasts for 4 months. Therefore, based on this, there is no *'Aqeeqah* for those whom you have mentioned in your question.

In reference to their ages on the Day that they will be resurrected from their graves, its knowledge is with Allâh. Asking about this is from that which is trivial, and from the goodness of the person's Islam is his leaving that which does not concern him.

The Permanent Committee

It is recommended to slaughter the *'Aqeeqah* for both of them

My wife gave birth ten years ago to two male twins after carrying them for 6 months. Then, they both died after their delivery during the first day. Is it permissible to slaughter an *'Aqeeqah* for them while noting that they were given names?

It is recommended to slaughter an *'Aqeeqah* for them. Two sheep that are suitable for sacrifice should be slaughtered for each one of them due to the generality of the confirmed

Hadiths from the Prophet ﷺ about the legislation of the *'Aqeeqah*. Among these *Hadiths* is the *Hadith* of Umm Kurz Al-Ka'biyyah, who said: "The Prophet ﷺ commanded that two sheep be slaughtered as the *'Aqeeqah* for a boy and one sheep for a girl." This was recorded by Ahmad and the *Sunan* compilers with an authentic chain of narration. You are given the choice between giving them (i.e., the meat) in charity or some of it in charity, or cooking it and inviting whoever you wish from your relatives, your neighbors, your brothers in Allâh's religion and some of the poor to eat from this meat.

Ash-Shaykh Ibn Baz

The ruling on giving Gifts for the newborn Child

Q What is the view of the Islamic law concerning what some women do, that when one of their women friends is granted a newborn child, they give her what is called the '*Hafalah*'? This is an expression used for a sum of money. Is there any basis for this in the Islamic law?

A There is no harm in giving gifts for the newborn child when it is born according to the basic principle. This is because the basic principle regarding gifts and all dealings is permissibility and correctness, except for what there is an evidence for its forbiddance. If the custom is that when a child is born to the people, its relatives give some money as a gift to it, there is no harm in a person doing that. This is in following the culture and what is customary and it is not done as a form of worship for Allâh.

Ash-Shaykh Ibn 'Uthaimin

The ruling on having a Celebration for naming the newborn Child

Q Is it permissible for the loved ones, neighbors and friends to gather for the naming of the newborn child or

is that celebration an innovation and disbelief?

Having a party for naming the newborn child is not from the Sunnah of the Prophet ﷺ and it did not occur among his Companions during his time. So, whoever does that thinking that it is an Islamic Sunnah, then he has invented into the religion that which is not a part of it. Thus, that is an innovation from him that is rejected. This is due to the statement of the Messenger of Allâh ﷺ:

«مَنْ أَحْدَثَ فِي دِينِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ»

"Whoever introduces into this religion of ours that which is not from it, it is rejected."[1]

However, it is not disbelief. In reference to whoever does it out of happiness and delight or for the sake of partaking of the food of the *'Aqeeqah*, and not thinking that it is Sunnah, there is no harm in that. Indeed it has been confirmed from the Prophet ﷺ that which proves the legislation of slaughtering the *'Aqeeqah* animal on the 7th day and naming the newborn child (on that day).

The Permanent Committee

[1] Muslim no. 1718.

The Book of Sales Transactions

The Permissible Transactions and the Transactions of *Riba* (Interest and Usury)

His Eminence, Ash-Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz was asked: What is the ruling on buying a sack of sugar or something similar for 150 riyals to be paid at a later time, which is worth 100 riyals in cash?

He answered: There is no problem with this because the sale for cash is not delayed and the Muslims have not ceased using this type of transaction, and it is like a consensus (*Ijma'*) from them for its permissibility. Some of the people of knowledge have taken a strange position regarding this and they forbid any increase in price for a delayed payment and they think that that is *Riba* (interest). But this is a view that is baseless and this transaction is not at all from *Riba*. This is because when the businessman sells the product to be paid later, he has only agreed to delay the payment so that he can gain some benefit by an increased amount. Also, the buyer only is pleased with the increase because of the delay allowed and his lack of ability to pay the price in cash up front. Thus, both of them benefit by this transaction. Indeed it has been confirmed from the Prophet ﷺ that which proves the permissibility of that. That is in his commanding 'Abdullah bin 'Amr bin Al-'Aas ﷺ to prepare an army, so he would buy a camel for two camels to be repaid at a later time. This action also enters into the generality of Allâh's Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓا۟ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ﴾

"O you who believe! When you contract a debt for a fixed period,

write it down."[1]

This transaction is from the types of permissible contracts of debt that are included in the mentioned Verse, and it is the same type of transaction as the sale of *As-Salam*. For verily, the seller in the *Salam* transaction sells some grain that he has, or some other product that is correct to sell in the *Salam* transaction, for the money that is present at a lower price than the price of the *Salam* product at the time of the *Salam* transaction. This is because the product of the *Salam* is to be delivered later and the price is paid in advance. Thus, it is the opposite of the issue that you have asked about, and it is permissible by the consensus of the scholars (*Ijma'*). It is like the sale that is conducted on delayed credit in meaning, and the need for it is urgent, just like the need for the *Salam* transaction, and the increase in the *Salam* is like the increase in the sale on delayed credit. The reason for both of them is the delay in delivering the product in the issue of the *Salam*, and the delay in delivering the price (money) in the issue of the sale on credit. However, if the intent of the person who buys the bag of sugar and similar things is to sell it and gain benefit from its price, and his intent is not to benefit from the product itself, then this is a transaction called *At-Tawarruq*. Some of the common people call it *Al-Wa'dah*. Indeed the scholars have differed regarding its permissibility, and they hold two different opinions: One of them is that it is prohibited and disliked, because the intent of it is to sell dirhams for dirhams. In this case the sales merchandise is only a means that is not the intent of the transaction. The second view of the scholars is that this transaction is allowed due to the urgent need for it, because everyone who has a severe need for cash may not be able to find someone to loan it to them without *Riba* (interest). This is also because this transaction is included in the generality of Allâh's Statement:

﴿وَأَحَلَّ ٱللَّهُ ٱلْبَيْعَ وَحَرَّمَ ٱلرِّبَوٰاْ﴾

[1] *Al-Baqarah* 2:282.

"And Allâh has allowed selling."[1]

And His Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ﴾

"O you who believe! When you contract a debt for a fixed period, write it down."[2]

This is also because the basic principle in the Islamic law is the permissibility of all transactions and dealings except that there is established evidence regarding its prohibition. And we do not know of any evidence in the Islamic law that prohibits this transaction. In reference to the reason of those who prohibit it or dislike it, which is its intent of getting cash, it is stated that it does not necessitate its forbiddance or its dislike. This is because the usual intent of those who do business in the various transactions is to get more money for less money, and the sold merchandise is a means of doing that. The only thing that makes this type of contract prohibited is if the buying and selling is from one person, like the issue of *Al-'Eenah*. For verily, that is taking a tricky means to deal in *Riba* (interest). The picture of this is that a person buys a product from another for a price to be paid later, then he sells it to him (i.e., back to the original seller) for a price that is less than the original price, thus taking cash for it. This is prohibited according to the Islamic law due to what it contains of a sly means of practicing *Riba*. This issue is called *Al-'Eenah*, and indeed a *Hadith* has been reported concerning it from 'A'ishah and also Ibn 'Umar ﷺ, which proves its prohibition. In reference to the issue of *At-Tawarruq* that some of the people call *Al-Wa'dah*, it is another transaction that is not the same type of transaction as *Al-'Eenah*. The reason is that the buyer in *At-Tawarruq* buys the product from a person on credit to be paid later and he sells it to someone else for cash due to his need for the cash. There is no tricky method of

[1] *Al-Baqarah* 2:275.
[2] *Al-Baqarah* 2:282.

practicing *Riba* in this, because the person who bought it is not the original seller. However, many of the people do not know what the Islamic law dictates in this transaction, so some of them sell what they do not own, then they buy the product after that and give it to the buyer. Some of them, if they buy a product, they sell it while it is still at the place of the original seller before they have taken legal possession of it. Both of these matters are not permissible due to what is confirmed from the Prophet ﷺ that he said to Hakeem bin Hizam:

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have."[1]

And he ﷺ said:

«لَا يَحِلُّ سَلَفٌ وَبَيْعٌ وَلَا بَيْعٌ مَا لَيْسَ عِنْدَكَ»

"Whoever buys some food, let him not sell it until he received all of it."[2]

Ibn 'Umar ﷺ said: "We used to sell food haphazardly, so the Messenger of Allâh ﷺ sent someone to us to prevent us from selling it (the food we bought) until we had taken it to our homes." It also has been confirmed from him (the Prophet ﷺ) that he prohibited the product to be sold in the same place where it was bought until the buyers take possession of it and take it to their places.

From these *Hadiths* and what has been reported with their meaning, it becomes clear to the seeker of truth that it is not permissible for the Muslim to sell a product that he does not own and then go out and purchase it (after making the sale). Rather, it is obligatory to delay selling it until he has purchased it and taken it into his possession. It also becomes clear that what many of the people do of selling products while they are still at the place of the initial seller before being transferred to

[1] Ahmad 3:402 and Abu Dawud no. 3503.
[2] Abu Dawud no. 3504.

the possession of the buyer or to the store, is a matter that is not permissible due to what it contains of opposing the Messenger's Sunnah. It is also not permissible due to what it contains of playing with the business transactions and not staying within the limits of the purified Islamic law. This contains corruption, evils and disastrous consequences that none can count but Allâh. We ask Allâh to help us and all of the Muslims to adhere to His Law and beware of that which opposes it. Concerning the increase that makes the transaction from the *Riba* transactions, it is that which is given to the one who is owed a debt after the time for payment has come so that the person who took the loan can have more time and an extension. This increase is that which the people of the pre-Islamic times of ignorance used to practice and they would say their well-known statement to the person who owed the debt: "Either pay up or pay *Riba*." So, Islam prohibited that and Allâh revealed concerning it His Statement:

﴿وَإِن كَانَ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ﴾

"And if the debtor is having difficult times (i.e., he has no money), then grant him time until it is easy for him to repay."[1]

The scholars have unanimously agreed about the forbiddance of this increase and the forbiddance of every transaction that leads to trying to make this increase permissible. For example if a person who gives a loan says to the person who owes the debt: "Buy some sugar from me or something else on credit, then sell it for cash, or pay me what was initially due to me." For verily, this transaction is an obvious tricky means of trying to make the increase of *Riba* lawful that the people of the pre-Islamic times of ignorance used to practice, but by a method other than their method. Thus, it is obligatory to leave this, avoid it and give the person in debt who is having difficult circumstances more time until Allâh makes it easy for him to repay the debt. Likewise, it is obligatory on the person who owes a debt and he is in difficult

[1] *Al-Baqarah* 2:280.

circumstances to fear Allâh and work according to the possible methods that are permissible in order to get the money to pay off the debt and free himself of his responsibility owed to the creditors. If he is lax in this and he does not strive to take the means of paying off what is due on him of rights, then he is committing an injustice against the people who have rights, and he is not fulfilling the trust. Thus, he has the same ruling as the wealthy person who delays in paying what he owes. Indeed, it has been confirmed from the Messenger of Allâh ﷺ that he said:

«مَطْلُ الْغَنِيِّ ظُلْمٌ»

"The delay in payment of the wealthy person is Zulm (an injustice)."[1]

And he ﷺ said:

«لِيُّ الْوَاجِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ»

"Delay in payment on the part of one who possesses the means makes it lawful to dishonor and punish him."[2]

And Allâh is the One Who is sought for help.

Also from the *Riba* transactions is what some of the banks and some of the businessmen do of increasing the amount of the loan, either unrestrictedly or adding a fixed amount every year. The first is like a person loaning someone 1,000 under the condition that he repays 1,100 or he lets him live in his home or use his shop or loans him his car or his animal for an appointed period or something similar to that of increases.

In reference to the second, it is that the person who gives the loan stipulates for himself every year or every month some fixed amount of profit for the usage of his wealth that he paid to the person who took the loan. It does not matter if it was given in the name of a loan or a trust. For verily, when the person takes it

[1] Al-Bukhari no. 2400 and Muslim no. 1564.
[2] Abu Dawud no. 3628.

in the name of a trust in order to use it, it is a secured loan. And it is not permissible for the debtor to pay any profit (extra money) to the lender, unless he and the bank or he and the businessman agree to use that money in a manner of limited partnership (*Al-Mudharabah*). This is by a portion of the designated share of the profit being for one of them and the rest being for the other. This payment is also called *Al-Qiradh* and it is permissible by the consensus (*Ijma'*) of the scholars. This is because both parties share in the profit and the loss, and the original money in this contract has the ruling of the trust in the possession of the worker. If it is ruined without any carelessness or transgression (by the worker), then he is not responsible for it. He only gets for his work the designated share of the profit that was agreed upon in the contract.

With this the legislated transactions and the *Riba* transactions become clear to you.

The ruling on selling on Credit with Payments in Installments

Q What is the ruling on increasing the amount of cash payment in a sale on credit and by installment payments?

A Selling for a delayed payment to be paid at a designated time is permissible if the sale contains the considered conditions. Likewise, there is nothing wrong with installment payments on the price of the merchandise, if the payment amounts are known and the times for payment are designated and known. This is due to the Statement of Allâh:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ﴾

"O you who believe! When you contract a debt for a fixed period, write it down."[1]

[1] *Al-Baqarah* 2:282.

And due to the statement of the Prophet ﷺ:

«مَنْ أَسْلَفَ فِي شَيءٍ فَلْيُسْلِفْ فَفِي كَيْلٍ مَعْلُومٍ وَوَزْنٍ مَّعْلُومٍ إِلَى أَجَلٍ مَّعْلُومٍ»

"Whoever gives an advance on something in trade, then let him do so with a known measurement or a known weight, and for a known period of time."[1]

This is also due to the story of Barirah that is confirmed in the Two *Sahih*s. For verily, she bought herself (i.e., her freedom) from her masters for 9 *Awaaq* (weights of silver), to be paid at a rate of 1 *Uqiyah* (singular of *Awaaq*) per year. This is the sale of installment payments and the Prophet ﷺ did not object to it. Rather, he approved of it and he did not prohibit it. There is no difference in this between the price being comparable to what the product is actually being sold for in cash (up front) or if there is an increase on that due to the delayed payment on credit. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on a Sale for a delayed Credit Payment and selling before Possession

Q If a person has a product, like grain or sugar or paints or peas, and its current value is equal to 100 riyals. He wants to sell it to someone who owes a debt for 130 riyals, for example, to be paid at later fixed time. The time for payment is after a complete year, but a year passes or two years and the person does not pay. What is the ruling?

Likewise, if the person who owed the debt bought the product from the warehouse or the shop and the original owner counts the product out for him (weighing or tallying it), can he sell it in its same place after it has been counted

[1] Al-Bukhari no. 2240 and Muslim no. 1604.

out and he has received it? Or does he have to take possession of it and move it to another place? Please give us a ruling and may Allâh reward you.

It is permissible for the person to sell a product, such as food or other than it, on a fixed term of payment later, even if the price of the sale on credit is increased from its original value at the time of buying it or from its current market price. The person who owes the debt of payment must repay the debt to its owner at its appointed time. This is due to Allâh's Statement:

﴿فَإِنْ أَمِنَ بَعْضُكُم بَعْضًا فَلْيُؤَدِّ ٱلَّذِى ٱؤْتُمِنَ أَمَـٰنَتَهُۥ وَلْيَتَّقِ ٱللَّهَ رَبَّهُۥ﴾

"Then if one of you entrusts the other, let the one who is entrusted discharge his trust (faithfully), and let him fear Allâh, his Lord."[1]

This is also due to what is confirmed from the Prophet ﷺ that he said:

«مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَى اللهُ عَنْهُ، وَمَنْ أَخَذَ يُرِيدُ إِتْلَافَهَا أَتْلَفَهُ اللهُ»

"Whoever takes the wealth of the people and he intends to pay it back, Allâh will pay it back for him, and whoever takes the wealth of the people intending to waste it, Allâh will waste him."[2]

If the person buys a product from a warehouse or shop, for example, and the original owner counts it all out for him, it is not permissible for the buyer to sell it in its place simply by its being counted out. That is not considered receiving the merchandise. Rather, it is mandatory for the buyer to be allowed to sell it for him to take complete possession of it and move it to another place. This is due to what was recorded by Ahmad from Hakeem bin Hizam that he said, "O Messenger of

[1] *Al-Baqarah* 2: 283.
[2] Al-Bukhari no. 2387.

Allâh, verily I buy some sales products, so what is permissible for me regarding them and what is forbidden for me?" The Prophet ﷺ said:

«إِذَا اشْتَرَيْتَ بَيْعًا فَلَا تَبِعْهُ حَتَّى تَقْبِضَهُ»

"When you buy something, do not sell it until you take it into your possession."[1]

This is also due to what Ahmad and Abu Dawud recorded from Zaid bin Thabit that the Prophet ﷺ prohibited merchandise to be sold in the place where they were bought until the merchants took them to their places. It is also due to what Ahmad and Muslim recorded from Jabir ﷺ, who said that the Prophet ﷺ said:

«إِذَا ابْتَعْتَ طَعَامًا فَلَا تَبِعْهُ حَتَّى تَسْتَوفِيَهُ»

"If you buy any food, do not sell it until you receive all of it."[2]

In a version recorded by Muslim, it is stated that the Prophet ﷺ said:

«مَنِ ابْتَاعَ طَعَامًا فَلَا يَبِعْهُ حَتَّى يَكْتَالَهُ»

"Whoever buys some food, he should not sell it until he weighs it."[3]

The Permanent Committee

The ruling on buying Products for more than their Price for delayed Payment (i.e., on Credit)

Q I bought a house for an increased amount from the company where I work, because I am an employee whose income is not very high. Is this considered from the *Riba* that Allâh has forbidden?

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[1] Ahmad 3/402.
[2] Muslim no. 1529.
[3] Muslim no. 1525 and 1528.

This is not considered from the *Riba* that Allâh has forbidden, as long as the company owns the house before you make the agreement with them. If the person buys something for a price to be paid later that is more than its current price, there is no harm in that. Shaykhul-Islam Ibn Taimiyyah reported that there is a consensus (*Ijma'*) among the Muslims concerning the permissibility of this, because the mutual benefit for the seller and buyer necessitate it. The seller benefits by the increased price that he gets and the buyer benefits by the delayed payment. This is not a form of *Riba*, because *Riba* has been specified for particular things that have been reported in the *Hadith* of 'Ubadah bin As-Samit ﷺ who related that the Prophet ﷺ said:

«الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالبُرُّ بِالْبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، سَوَاءً بِسَوَاءٍ، يَدًا بِيَدٍ»

"Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates and salt for salt, like for like, the same for the same, hand to hand (i.e., to be paid on the spot)."[1]

Thus, these six things and whatever shares the same purpose with them - even the scholars differ about that - they are the things that *Riba* applies to. There are two conditions that apply to that which is sold for something of its same type (or species):

The first is that they must be equivalent in weight for that which is weighed, and measurement for that which is measured.

The second is that both parties must take possession of what they are trading for before they part from each other.

In reference to what is sold for something of a different type (or species), the condition of equivalency is not stipulated in that. However, if the item is sold for something that shares the same purpose, the things being traded in the sale must be taken possession of by those making the deal before they part from

[1] Muslim no. 1587.

each other. This is due to the Prophet's statement:

«فَإِذَا اخْتَلَفَتْ هٰذِهِ الأَصْنَافُ، فَبِيعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ»

"If these types of items differ, then sell them however you wish, as long as it is hand to hand (i.e., exchange being made on the spot)."[1]

Things other than these types of items and whatever shares their same purpose, there is no *Riba* in it, like animals and clothes.

Indeed the Prophet ﷺ commanded 'Abdullah bin 'Amr to prepare an army, so he would take a camel for two camels (to be given later as payment) and two camels for three camels (to be given in return later) from the camels of charity. However, if the time to pay the money comes and they delay the payment and the loaner adds some increase to the payment because of that (tardiness in payment), then that is forbidden and it is included in the *Riba* dealings.

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Products on delayed (Credit) Payment for more than its current Price

Q A man sells a product for an up-front price of 10 pounds for example, and for payments to be paid in monthly installments at a price greater than this price (10 pounds). Is this extra increase in the price considered *Riba* (interest), or is there a percentage that the seller must stick to if he wants to sell by installments?

A If the matter is like what is mentioned, it is permissible to sell the product for a delayed (credit) payment for more than its current price. It makes no difference whether the person pays the price in installments or all at one time when the time for payment comes. However, this is under the condition that

[1] Muslim no. 1587.

the two parties do not separate until they make the type of sale specific and they agree on it being for cash up front or a payment to be made later. The increase is not *Riba* and there is no text in the Islamic law to limit the amount of the increase in sales for delayed (credit) payment in place of the sale for cash up front. However, the Messenger ﷺ encouraged leniency in buying and selling, and in paying and seeking payment.

The Permanent Committee

There is no Limit for the increase in Sales for delayed (Credit) Payment

Q If a man has a bag of sugar that is sold up front for 80 riyals, and the buyer request to buy it by paying later, so he sells it to him for 150 riyals to be paid later, is there a limit that the increase must stop at?

A The sale that is to be paid up front or paid later is legislated and there is no prohibition concerning it. The basic principle regarding prices is that there is no limit, regardless of whether it is regarding the sale that is made up front or for a delayed payment. The prices are left to the effects of supply and demand. However, the people should be merciful among themselves and they should practice leniency between them in matters of buying and selling. They should not seize opportunities to force each other into difficult circumstances in their dealings. The Prophet ﷺ said:

«رَحِمَ اللهُ رَجُلًا سَمْحًا إِذَا بَاعَ، وَإِذَا اشْتَرَى»

"May Allâh have mercy on a man who is lenient when he sells and when he buys."[1]

If a person seizes the opportunity of hardship and his brother's severe need for what he possesses, and he cannot find it with anyone else or he finds it but the salesmen in the market have all

[1] Al-Bukhari no. 2076.

marked up the prices seeking more profit and making it expensive, this is wrong. It is forbidden for the person who has a product, to sell it to the one who has an extreme need for it for more than the price of what is similar to it on the current value in an up front sale, and the price of what is similar to it for delayed payments in a deal of delayed payment. Whoever is present at the time of this transaction should help in assuring fairness and preventing injustice. Everyone must act according to his situation and his position that is befitting him from the matters of commanding the good and forbidding the evil. The pledged time at the time of buying and selling is that which limits the suitable price. Thus, every market has its price and every time has its price. Also, every situation of increased supply and limited supply, and limited demand and increased demand has its price.

The Permanent Committee

The Price and the Condition must be known

Q What is your opinion about selling a car for 10,000 in cash or 12,000 on installment payments, as is a well-known practice now in the auto dealerships?

A If a person sells another a car or anything else for 10,000 riyals in cash, for example, or 12,000 riyals to be paid later, and they part from the sitting of the contractual agreement without agreeing on one of the two options — the up-front payment or delayed payment — the sale is not permissible. This sale is not appropriate due to the unknown price and unknown condition as to what type of sale it is - payment up front or payment made later. Many of the scholars have used the Prophet's prohibition of two sales in one as a proof regarding this. This (the Prophet's prohibition), was recorded by Ahmad, An-Nasa'i, and At-Tirmithi who graded it authentic. So if the two dealers agree to one of the two prices before leaving the sitting of the contractual agreement by them specifying a price in cash payment or a price for a payment to be

made later, then they part after specifying, the sell is permissible and correct due to the price and condition being known. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

Issues regarding Sales

If a person comes to another person and the first wants a loan from the second (to purchase something), is it permissible for the second to buy the product for him from the market and then sell it to him? If the second person has some of the product, can he purchase the rest from the market and sell it to the person seeking the loan? If the product ends up with the second person, is it permissible for him to set a rate of 1,000 for 1,500? And is it correct for the price to be paid in monthly installments? Is it permissible for him to say 10 is to be repaid at 15, for example?

The answer from its various aspects:

The first aspect: The mere previous agreement for the contract does not require that the two parties or even one of them must carry through with it. Each of them may change his mind and cancel if he wishes. Based on this, if the second person purchases the product or the remainder of it from the market, then he possesses it, then sells it to the person who was seeking the loan, then the person seeking the loan takes possession of it, the sale is correct and binding. However, if the person who buys the product really is seeking money, so he buys the product for 100 on credit (to be paid later) and he sells it on the market for 70 for cash, then this is like the statement of Ibn 'Abbas ﷺ. He said, "This is selling dirhams for dirhams and between them is a piece of silk (i.e., some merchandise is added)." Some of the people of knowledge disliked this transaction, such as 'Umar bin 'Abdul-'Aziz. Thus, this type of dealing should be avoided to be

safe and free of any blame, and to avoid the difference of opinion. From those who gave a ruling on this issue from the Imams of the *Da'wah*, was Shaykh 'Abdullah bin Muhammad bin 'Abdul-Wahhab. He said, "In reference to a sale for delayed payment, it is fundamentally permissible if it is done in an allowed manner." However, if the person's intent is to get cash, so he buys it for 100 on credit and he sells it on the market for 70 for cash, then this is blameworthy and prohibited according to the most obvious of the views of the scholars. This is called *At-Tawarruq*. 'Umar bin 'Abdul-'Aziz said, "*At-Tawarruq* is the brother of *Riba*."

The second aspect: If the intent of the questioner in his saying, "if the product ends up with me", and that he wants to replace the 1,000, so is it correct for him to stipulate upon the person that each 1,000 will be for 1,500? If his intent was to sell it in the manner that was described in the previous question, then its ruling has already preceded. If he means that they agreed that the product whose price was 1,000, its price will be 1,500, and the buyer receives the 1,000 and the seller stipulates that he must pay 1,500 and the product will be only superficial, and in reality the product was not really sold and bought, this is *Riba*. There is no doubt about it. It is clearly included in the generality of the evidences that prove the forbiddance of *Riba* from the Book and the Sunnah.

The third aspect: There is no harm in the entire price being delayed and paid at one time (later) or at various different times (i.e., payments). This means that it would be in installment payments, with every payment being given after a month or two, for example. The basis for this is the generality of the Verse concerning debt, for verily there is no restriction regarding it being one payment or a number of payments that are divided from the total price and paid later.

The fourth aspect: It is permissible for to say 10 for 15 if the intent is that whatever's price is 10 up front is 15 on delayed (credit) payment. However, if what is meant is that 10 riyals are

sold for 15 riyals, for example, this is not permissible, and this has been previously discussed.

The fifth aspect: What is legislated in regard to the right of the Muslim upon the Muslim if he comes to him seeking a loan from him, is that he should not force him to pay an increased price that is outside of what is known in the generality of dealings that are carried out according to the ways of justice. For verily, Allâh has commanded justice in His Statement:

﴿إِنَّ ٱللَّهَ يَأْمُرُ بِٱلْعَدْلِ وَٱلْإِحْسَٰنِ﴾

"Verily, Allâh commands justice and kindness." [1]

Justice is in everything accordingly. For this reason the Islamic law has forbidden the forced sale without a right, going out to meet a sales caravan to buy before others, and the city dweller selling as an agent for the bedouin, except according to well-known conditions and so forth. Therefore, it is incumbent upon the Muslims to be merciful with each other. For verily, whoever shows mercy, will receives mercy (from Allâh).

The Permanent Committee

The ruling on Debt

Q A man wanted to get married, but he did not have a sufficient amount to cover the cost of the dowry. So, he went to an owner of a business to seek a loan from him. The owner of the business said to him, "I will sell you a car for 17,000 Saudi riyals as a debt, and you will pay it off completely after a complete year." Is this *Riba*, since the value of the car in cash is only 10,500 Saudi riyals? This car is what the condition is based upon, and the condition between this seller and the man who wants to get married is centered on it.

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[1] *An-Nahl* 16:90.

A If the matter is like what has been mentioned of a person buying a car from another to be paid for later at a greater price than what it is sold for in cash up front, and so the buyer can sell it to whomever he wishes other than who sold it to him initially and whoever has his ruling, then that is not *Riba*. Rather, it is a correct sales agreement that is permissible. However, if he bought the car, for example, from a person to be paid for later in order to sell it back to him for cash up front at a lower rate than what he bought it for, then that is selling cash for cash with an increase, which is the *Riba* that Allâh and His Messenger ﷺ forbade. The sales agreement for the car is superficial and it is only intended for deceit and to use trickery to practice *Riba* and devour wealth in falsehood. Likewise, if the buyer sells the car to a person who knows that it is to be sold to the original seller in his action or a person who is a middle man who works with the original salesman so that the car will return to him in the end, all of that is deception and deceitful *Riba*. May Allâh send blessings upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The Issue of *At-Tawarruq*

Q We hear from those who study in the *Masjids* that selling and buying interest payment is forbidden. So, what is your opinion concerning someone who buys some item, pays its value and takes possession of it from its (original) owner, then the other man comes to him and buys it back for more than its value to be paid back at the end of a year's time?

A Selling possessions for payment to be made later at a price more than its current price is known among the people of knowledge as the issue of *At-Tawarruq*. The preferred view among the *Hanabilah* (followers of the *Hanbali Mathhab*) is that it is permissible. Shaykhul-Islam Ibn Taimiyyah said, "If the one

who buys the product has no need of gold and silver, he buys the product to sell it for that which he needs. If the product returns to the original buyer, then that is that which there is no doubt concerning its forbiddance. If he sells it to other than the original buyer in a complete sale and it does not return to the first person in any way, the *Salaf* have differed concerning its dislike, and they call it *At-Tawarruq*. 'Umar bin 'Abdul-'Aziz disliked it and he said that *At-Tawarruq* is the brother of *Riba*. Iyyas bin Mu'awiyah allowed it. There are two different opinions recorded from Imam Ahmad about it." He (Ibn Taimiyyah) also said, "Whoever takes a loan from a man, there are three aspects to it:

The first: That there is a secret verbal or understood agreement between them that the person buys the product from the owner of the store, then the buyer sells it and it returns back to the owner of the store. That is not permissible.

The second: That he buys the product from him then he returns it to him. This is not permissible due to the *Hadith* of slave woman of Zaid bin Arqam ﷺ.

The third: That he buys the product from him in a confirmed sale, then secondly, he sells it to a person who is seeking a loan so that one of them can sell it. This is called *At-Tawarruq*, because the intent of the buyer is to get money. So he takes 100 and he owes 120, for example. The *Salaf* disputed over this. The strongest view is that it is prohibited. Umar bin 'Abdul-'Aziz said, '*At-Tawarruq* is *Riba*.' For verily, Allâh has forbidden taking dirhams for more dinars on delayed payment. This is due to what that contains of harm for the person in need and devouring his wealth in falsehood. This meaning is present in this form of dealing, and actions are only according to the intentions. And that which Allâh allowed is selling and business." This ends the statement of Shaykhul-Islam.

However, if the intention of the buyer is to use up the item that he bought or he intends to do business with it, then it is permissible for him to sell it on credit for more than its current

price, if that is after the seller has possessed it. And success is from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Another *Fatwa* concerning the Issue of *At-Tawarruq*

Q A man seeks a loan from another man for the sum of 10,000 riyals on the condition that he will pay it back after a year from the date of the agreement, plus an extra of 2,000 riyals. The deal was worked out as follows:

The creditor purchased an item that is of 10,000 riyals and sold it to the debtor for 12,000 riyals under the condition that he would pay it off completely after a year from the date of the agreement. Then, the second person sold it to the owner of the store (the original seller) for 9,800 riyals. This is while knowing that the creditor took possession of the product initially and then agreed with the debtor on paying the previous sum of money (12,000 riyals).

Is this method that the creditor used with the debtor correct? Is the method used by the debtor with the owner of the store correct? Is this matter called *At-Tawarruq* or is it a trick from the deceptive ways of practicing *Riba*? May Allâh protect you and us from its evil, please give us a *Fatwa* (ruling), and may Allâh reward with the best of rewards.

A This issue is called *At-Tawarruq* according to the people of knowledge, and it is that the man sells an item to someone else who then owns it and takes possession of it for a known price to be paid at a fixed later date. Then the buyer takes it and does some business with it after possessing it. The usual situation is that this is done due to his (the buyers) need of cash. This sale in this manner is Islamically permissible according to the most correct view of the scholars, and it is included in Allâh's Statement:

﴿وَأَحَلَّ ٱللَّهُ ٱلْبَيْعَ وَحَرَّمَ ٱلرِّبَوٰاْ﴾

"Allâh has allowed sale (business) and forbidden the Riba (interest or usury)." [1]

And it is also included in His Saying:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ﴾

"O you who believe, when you contract a debt for a fixed period, write it down."[2]

The creditor may not sell to the person who wants to buy a product that the merchants have and he has not bought it (yet) and he does not possess it. That is invalid due to the statement of the Prophet ﷺ:

«لَا يَحِلُّ سَلَفٌ وَبَيْعٌ، وَلَا بَيْعُ مَا لَيْسَ عِنْدَكَ»

"It is not permissible to make a condition of a loan along with a sale, or to sell what is not in your possession."[3]

And he ﷺ said to Hakeem bin Hizam:

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have."[4]

Selling is only permissible in this issue — I mean the issue of *At-Tawarruq* — under the condition that the property is present with the seller and in his possession. Then, it is not permissible for the buyer to sell it while he is still with the creditor until he (the buyer) takes possession of it under his ownership or he takes it to his store. He also may not sell it to the creditor for a lower price, because that is taking a tricky means of practicing *Riba*. His selling the product to the creditor for a lower price that

[1] *Al-Baqarah* 2:275.
[2] *Al-Baqarah* 2:282.
[3] Abu Dawud no. 3504.
[4] Ahmad 3/402.

he bought it for from him is not correct, and this type of sale is called the sale of *Al-'Eenah* and it is from the sales transactions of *Riba*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on selling by Installment Payments

Q A person says I am a man who possesses a sum of money and I invest it in buying cars for cash. The price of the car may be 9,000 riyals, then I sell the car on installment payments over a period of a year or two for the total sum of 14,000 or 10,000 riyals after I take a down payment of 2,000 or 3,000 riyals. I am in doubt as to whether this sale is correct or *Riba*. What is the ruling on what passed regarding this means of sale, while knowing that I have been dealing for a period of two years by this method?

A Indeed Allâh has allowed selling (business) and forbidden the *Riba*. He said:

﴿وَأَحَلَّ ٱللَّهُ ٱلْبَيْعَ وَحَرَّمَ ٱلرِّبَوٰاْ﴾

"And Allâh has allowed selling (i.e., business) and forbidden the Riba."[1]

From that which He allowed of selling is selling for delayed payment. The legislation of this is proven by His Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ ۚ وَلْيَكْتُب بَّيْنَكُمْ كَاتِبٌۢ بِٱلْعَدْلِ ۚ وَلَا يَأْبَ كَاتِبٌ أَن يَكْتُبَ كَمَا عَلَّمَهُ ٱللَّهُ ۚ﴾

"O you who believe, when you contract a debt for a fixed period, write it down. Let a scribe write it down in justice between you. Let not the scribe refuse to write as Allâh has taught him."[2]

Al-Qurtubi said in his *Tafsir*, "This includes all types of contracts

[1] *Al-Baqarah* 2:275.
[2] *Al-Baqarah* 2:282.

of debt (i.e., loans) according to the consensus (*Ijma'*)." It has been confirmed in the Two *Sahihs* from 'A'ishah ﵂ that Barirah's family (that owned her) sold her for 9 *Awaaq* (pieces of silver) to be paid in 9 installments of 1 *Uqiyah* every year, and the Prophet ﷺ approved of that. By this it is known that the dealing in the form that the questioner asked about is permissible, as it is included in the general meaning of the Verse. And success is with Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Another *Fatwa* on selling by Installment Payments

Q I went to one of the companies that sell cars by installment payments and I bought a car from them. They told me that for cash up front the cost of the car was 50,500 riyals and over payments it would be 54,131 riyals at an increase of 14% on the rest of the sum (that I still owed). I paid them 10,000 riyals and what remained was 44,131 that was divided into monthly installments over 12 months. I received the car and after 4 months passed I happened to think about the increased sum of money and I went to ask them what was the 14%. They told me that it was for bank expenses. Then, I began to have doubt. Was that deal which was made forbidden or lawful?

A If the buyer agrees to a delayed payment with the car company in that the amount would be 54,131 riyals, and all of it would be the price of the car that he pays in installments or he pays some of it up front and some of it later, then that sale is lawful Islamically. It makes no difference if the delayed payment was more than what the cash payment would be up front.

The Permanent Committee

There is no Harm in selling by Installment Payments

The cars that are sold by the method of installment payments, their price is increased if you buy them by the method of payments. This is like if the price of the car was 15,000 riyals in cash, it will be sold to the person for more than this value price by way of installment payments. Is this sale *Riba*?

There is no harm in selling by installment payments as long as the times of payment are known and the installment payments are known. It makes no difference if the sale by installment payments is more in price than the sale by cash up front, because the buyer and the seller both benefit from the installments. The seller benefits by the increased amount and the buyer benefits by the extra time allotted to pay.

Indeed it has been confirmed in the Two *Sahihs* from 'A'ishah ﷺ that Barirah ﷺ was sold by her family (that owned her) by installment payments over 9 years. Each year she was to pay 40 dirhams. That proves the permissibility of the sale by installment payments. This is also because it is a sale that contains no treachery, no *Riba* and no unknown factors. Thus, it is permissible just like the rest of the legislated sales transactions.

Ash-Shaykh Ibn Baz

Selling Cars by Installment Payments

One of the brothers who does business in buying and selling cars by installment payments asks a question saying that he sells the car on the basis of monthly installment payments. In this he makes an agreement with the person who wants to purchase the car on installment payments, and this is due to the person's need to do so. Thus, he agrees with him to the sale before he buys the car for him, guaranteeing his profits first. So, what is the ruling on that?

If the sale of the car and similar items is made to the one who wishes to purchase it after the seller owns it, and it is specified by its name, and the seller actually possesses it, there is no harm in that. However, before that (possession by the seller) it is not permissible (to sell it). This is due to the Prophet's statement to Hakeem bin Hizam:

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have."[1]

It is also due to his ﷺ statement:

«لَا يَحِلُّ سَلَفٌ وَّبَيْعٌ، وَلَا بَيْعٌ مَا لَيْسَ عِنْدَكَ»

"It is not permissible to make a condition of a loan along with a sale, or to sell what is not in your possession."[2]

Both of these *Hadiths* are authentic, so it is obligatory to act according to them and to beware of whatever opposes that. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on buying on Installment Payments

Is a loan forbidden or not? This while knowing that some people do the following: The man will purchase a new car for approximately 16,000 riyals and sell it to another man for approximately 24,000 riyals to be paid after the passing of a year or on monthly installment payments. Is this method correct or not? Is the increase that the owner of the car takes permissible?

It is permissible for the man to seek a loan when there is a need for it, whether it is for a car or something similar. So, he purchases it for a price that is to be paid at a later date and

[1] Ahmad 3/402.
[2] Abu Dawud no. 350

the price is more than the price of the item if it were bought with a cash payment. The increase will be for the alternate payment arrangement. However, it is not permissible to make a sales contract until the car is in possession (of the seller), for example, and the person moves it from it place (to his own place). After that he says, "I bought this car for myself for such and such amount." However, he should not cause harm to the one seeking the loan and add an enormous increase to the price, due to the person's need. Rather, the person who has wealth should be gentle with the person who needs the money, and he should not seek to make profit off of him, except for a small profit. He also should not be harsh in the conditions and he should not abuse him in seeking payment.

Ash-Shaykh Ibn Jibreen

This is a tricky Scheme

Q I wanted to buy a car, so I went to the car showrooms and picked out the car that I wanted. Then I went to a man that I am acquainted with and who does business in buying and selling cars by installment payments, and I presented to him the matter. Thus, he said to me, "I will buy the car for you that you want and I will take an amount of 10,000 riyals more than its price for the installment payments. So, I went to the car dealership and I paid a down payment that was 500 riyals and he (my acquaintance) went with me after that to the dealership and he bought the car and closed out the deal. He paid its price in cash without even seeing the car. Then, when we left the dealership he asked me, "Where is the car?" So, I showed it to him. He then said, "Congratulations on your car." Then he left and I took the car while it was in his name. After that I began paying him monthly installments according to what we had previously agreed to. Is this sale permissible? If it is not permissible, what should be done, as the car has been in my possession for approximately a year? I do not think that he will be ready to

cancel the increase that he stipulated. Please guide me as to what I should do, and may Allâh reward you with good.

This sales transaction is forbidden and it is a tricky method of practicing *Riba*. This is because the reality of the matter is that the man loaned you the value of the car for *Riba*, but he bought it in a superficial purchase that was not the intent of the transaction. Deceitful methods of doing things that are forbidden by Allâh do not change them to being lawful. Rather, it adds wickedness to their wickedness and ugliness to their ugliness. It also causes the man to be similar to the Jews who seek to make lawful those things that Allâh has forbidden by the lowest schemes. Indeed the Prophet ﷺ said in what has been authenticated from him:

«قَاتَلَ اللهُ الْيَهُودَ، إِنَّ اللهَ لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومُهَا جَمَلُوهُ ثُمَّ بَاعُوهُ فَأَكَلُوا ثَمَنَهُ»

"May Allâh curse the Jews. When the fat of the animals was made unlawful for them they melted it, sold it and devoured (i.e., used) its price." [1]

Also, every believer reads the story of the people of the Sabbath day in the Book of Allâh.

Allâh had made fishing on the Sabbath day (Saturday) forbidden for the people of the village that was at the edge of the sea and he tested them with this. So, the fish would come on Saturday swimming on top of the water due to their abundant numbers. Then, on days other than Saturday, they would not come to the people. Then, after time went on and they thought that they must catch the fish, they plotted a deceitful way to do that. They placed fishing nets out on Friday in the water. Then, when it was Saturday, the fish came and were caught in these nets. Then, when Sunday came, they took the fish from the nets. So, what was their punishment? Allâh, the Mighty and

[1] Al-Bukhari no. 2236 and Muslim no. 1581.

Majestic, said:

﴿وَلَقَدْ عَلِمْتُمُ ٱلَّذِينَ ٱعْتَدَوْا۟ مِنكُمْ فِى ٱلسَّبْتِ فَقُلْنَا لَهُمْ كُونُوا۟ قِرَدَةً خَٰسِـِٔينَ ﴿٦٥﴾ فَجَعَلْنَٰهَا نَكَٰلًا لِّمَا بَيْنَ يَدَيْهَا وَمَا خَلْفَهَا وَمَوْعِظَةً لِّلْمُتَّقِينَ ﴿٦٦﴾﴾

"And indeed you knew those amongst you who transgressed in the matter of the Sabbath (i.e., Saturday). We said to them: 'Be you monkeys, despised and rejected.' So, We made this punishment an example to their own and to succeeding generations and a lesson to those who are Muttaqun (the pious)."[1]

At this opportune time I would like to advise my Muslim brothers about scheming to do those things that are forbidden by Allâh and so that they may know that the consideration in the contracts is according to their intentions (goals). This is due to the Prophet's statement:

«إِنَّمَا الأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِىءٍ مَا نَوَى»

"Actions are only with intentions and each person will only get what he intended."[2]

If this man was a true friend to his companion, nothing would be better for him than to loan him the car's price as a goodly loan with no *Riba*, and in doing so he would be one of the good doers. Allâh says in His Book:

﴿إِنَّ ٱللَّهَ يُحِبُّ ٱلْمُحْسِنِينَ ﴿١٩٥﴾﴾

"Verily Allâh loves those who do good." [3]

And verily, I advise this brother, the friend who deals in this type of transaction to cancel the *Riba* that he added to the value of the car and to cut the payments down to the actual price of the car for which he bought it.

Ash-Shaykh Ibn 'Uthaimin

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[1] *Al-Baqarah* 2:65 - 66.
[2] Al-Bukhari no. 1. Muslim no. 1907.
[3] *Al-Baqarah* 2:195.

The ruling on selling Goods on Installment Payments for whoever does not really own the Goods

Q It has been noticed that a person may come to some companies while he has the need to buy some furniture or a car or a house or something else. The company does not have such items in its possession, so the company will buy this needed item and then sell it to this person on installments while taking some extra money for it. Or the company may hold the person responsible for buying the item and the company will pay the sum according to the bills, and in return they will take some extra money from this person. So, what is the ruling on that?

A It is known that whoever seeks a loan of 100,000 riyals in order to pay it back in installment payments with an increase of 8% for every payment and this percentage increases as time goes on, or even if it doesn't increase, this is *Riba*. It is *Riba An-Nasi'ah* and *Riba Al-Fadhl*. This deal increases in repulsiveness if the interest rate increases with time. This is from the *Riba* of the times of pre-Islamic ignorance, about which Allâh said:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُواْ لَا تَأۡكُلُواْ ٱلرِّبَوٰٓاْ أَضۡعَٰفٗا مُّضَٰعَفَةٗۖ وَٱتَّقُواْ ٱللَّهَ لَعَلَّكُمۡ تُفۡلِحُونَ ١٣٠ وَٱتَّقُواْ ٱلنَّارَ ٱلَّتِيٓ أُعِدَّتۡ لِلۡكَٰفِرِينَ ١٣١ وَأَطِيعُواْ ٱللَّهَ وَٱلرَّسُولَ لَعَلَّكُمۡ تُرۡحَمُونَ ١٣٢﴾

"O you who believe! Eat not Riba doubled and multiplied, but fear Allâh so that you may be successful. And fear the Fire, which is prepared for the disbelievers. And obey Allâh and the Messenger (Muhammad ﷺ) so that you may obtain mercy."[1]

It is also known that conniving to carry out this transaction is

[1] *Aal-'Imran* 3:130-132.

conniving to do that which Allâh has forbidden, plotting and an attempt to deceive the One Who knows the most subtle of forms of deception and what the chests conceal.

It is also known that conniving to do those things that Allâh has forbidden does not change them to being lawful simply by the outward appearance of them as being lawful, while their goal is forbidden. It is known that conniving to do those things that Allâh has forbidden only increases those things in repulsiveness, because the one who does such scheming falls into two pitfalls. The first is deception, plotting and playing with the Laws of Allâh. The second is the corruption of that forbidden thing that he has found a tricky of way of getting, because such corruption is actualized by way of using this deceit.

It is also known that conniving to do those things that Allâh has forbidden is falling into what the Jews did, thus the person who enacts such a scheme is similar to the Jews in that. For this reason it has been mentioned in a *Hadith*:

«لَا تَرْتَكِبُوا مَا ارْتَكَبَتِ الْيَهُودُ فَتَسْتَحِلُّوا مَحَارِمَ اللهِ بِأَدْنَى الْحِيَلِ»

"Do not commit the acts that the Jews did, by seeking to make lawful those things that Allâh had forbidden."[1]

It is also known to whoever pays attention and avoids following the desires, that whoever says to a person who wants to buy a car:

"Go to the dealership and choose the car that you want and I will buy it from the dealership, and then sell it to you on installment payments."

Or he says to a person who wants to buy some land:

"Go to the real estate agent and choose the land that you want and I will buy it from the real estate agent. Then I will sell it to you on installment payments."

Or he says to a person who wants to build a building and he

[1] Irwa'ul-Ghalil 1535 (5/375)

needs some metal:

"Go to such and such business and choose the metal that you like and I will buy it. Then I will sell it to you on installment payments."

I say that it is known to the person who pays attention, who is just and who does not merely follow desires, that dealing in this fashion is a form of conniving to indulge in *Riba*. This is because the businessman who purchased the item did not intend to buy it and that never crossed his mind, and he did not buy it for the sake of doing an act of goodness towards the person who wants it purely. He only bought it for the increase that he will get from it in return for the delayed (credit) payment. For this reason, as time goes on the increased amount grows. Thus, in reality, this is like the statement of the person who says, "I will loan you the price of these things with a *Riba* (interest) increase in return for the delayed payment," but he enters an item of purchase between them. This is like what is confirmed from Ibn 'Abbas ﷺ that he was asked about a man who sold another man a piece of silk for 100 (to be paid later), then he bought it (back from him) for 50 (in cash). Ibn 'Abbas said, "This is selling dirhams for dirhams at an increased rate (which is *Riba*), and a piece of silk entered between them." Ibn Al-Qayyim said in *Tahthibus-Sunan*, 5/103, "And this *Riba*, its forbiddance follows it meaning and its reality. Thus, its forbiddance is not stopped by the changing of the name with the form of the sale."

If you took the issue of *Al-'Eenah* and put it with this issue, you would find that this issue is closer to a tricky method practicing *Riba* than the issue of *Al-'Eenah* in some of its forms. For verily *Al-'Eenah* is, as the *Fiqh* scholars have said, that a person sells an item to another person for a price to be paid later, and then he buys it from him in cash at a lower rate. It may be that the seller does not intend to buy the item back when he sells it, nevertheless, it still is forbidden for him to do this.

This transaction is not justified by the conniving seller's saying, "I am not forcing him to take the item that I bought for him."

This is because it is known that the buyer is not only seeking it because he has a need for it and that he will not change his mind about buying it. We have not heard that anyone of the people who buys these items in this fashion changes his mind about buying it, because the deceitful businessman has insured himself against that (in the deal) and he knows that the buyer will not back out of the deal. The only exception would be if he finds some defect in the product or deficiency in its features.

So if it is said, "If this transaction is a tricky way of practicing *Riba*, is there any way of benefitting from this transaction without it being a deceptive form of *Riba*?" The answer is that Allâh, with His Wisdom and Mercy, did not close the doors of benefits to the servants. For verily, if He made something forbidden to them due to its harm, he opened doors for them that contain benefits without harm. The way of safety from this transaction is that the products should be present with the business man, and he sells them to those who want to buy them on terms of delayed payment, even if there is an increase in the price. I do not think that any big businessman is unable to buy products that he thinks many people will desire, so that he can sell them to them at the price that he chooses. Thus, he gets what he wants of profit while being safe from tricky subterfuges of *Riba*, and he probably will gain reward in the Hereafter if he intends in that to make things easy on those who are unable to pay the up front price. Indeed the Prophet ﷺ said:

«إِنَّمَا الأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى»

"Actions are only with intentions, and each person will only get what he intended."[1]

What the questioner mentioned in reference to the company burdening the buyer with buying the product that he wants, if the company wants him to be a representative of the company in that, then this is the issue that we have spoken about. If the company wants for him to buy the car himself, then this is a

[1] Al-Bukhari no. 1

loan for gaining some benefit, and there is no doubt in the fact that it is clearly *Riba*.

Muhammad As-Salih Al-'Uthaimin

From the Matters of *As-Salam* that is permissible

If there is a person in need and he takes a sum of money from one of the people under the condition that he will give it back to him after a specified period of time in *Sa's* of wheat or measures of fruit with that being before they are ripe, is this allowed?

If he adheres to it with the mentioned measures that are in his possession, then this matter is considered from the matters of *As-Salam* (pay in advance for goods received later). *As-Salam* is a type of sale that is correct with its conditions along with seven basic conditions:

The first: That it be from those things that can be described in specific.

The second: That he describes it according to what would obviously cause the price to differ.

The third: That he mentions its amount by measurement for those things that are measured, by weight for those things that are weighed and by length for those things that are measured by length.

The fourth: That he stipulates a condition for the item to be delivered at a specified later date.

The fifth: That the submitted item be generally present at his place (shop, farm, etc.).

The sixth: That the price is paid at the sitting of the agreement (up front).

The seventh: That the person pays in advance for a product in possession. If money is paid for a product that is not owned by the seller, the transaction is not correct.

The basis for the permissibility of *As-Salam* in the Qur'an is Allâh's Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ﴾

"O you who believe, when you contract a debt for a fixed period, write it down." [1]

Ibn 'Abbas ﷺ said, "I bear witness that *As-Salaf* (payment in advance, i.e., *As-Salam*) that is guaranteed for products to be received later has been made lawful by Allâh, the Most High, in His Book and He has allowed it." Then he recited this Verse. This narration was reported by Sa'id.

From the Sunnah there is what was reported by Ibn 'Abbas ﷺ that when the Prophet ﷺ (first) came to Al-Madinah, the people were practicing *As-Salaf* (i.e., *As-Salam*) with fruit to be delivered after a year or two. So he said:

«مَنْ أَسْلَفَ فِي شَيءٍ فَلْيُسْلِفْ فِي كَيْلٍ مَّعْلُومٍ وَوَزْنٍ مَّعْلُومٍ إِلَى أَجَلٍ مَّعْلُومٍ»

"Whoever pays in advance for something, then let him pay in advance for a known (i.e., specified) measurement, a specified weight and for a specified period of time."[2]

This narration is agreed upon. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

Another *Fatwa* regarding Issues of *As-Salam*

Q If a man gives some dirhams (money) in advance for dried dates whose weight is specified, is it permissible for him to take a number of date trees by estimate according to the amount of his money from the weight when the fruit

[1] *Al-Baqarah* 2:282.

[2] Al-Bukhari 2240 and Muslim no. 1604.

just begin to ripen? Is this allowed or not?

There is a difference of opinion regarding the ruling on this issue. From the people of knowledge are those who allow it and from them there are those who forbid it. Those who allow it, restrict it to the case of the fruit being taken instead of what is possessed with certainty and both parties being pleased with that, and they do not have a condition between them for that in the contract. They use the confirmed story of Jabir in the *Sahih* as a proof for this, and also the fact that the issue of preservation is broader than the issue of sales, and the people are more in need of it than they are in need of sales. This is also because it is from the matter of taking some of the rights and absolving oneself of what remains. This is also a way of making things easier on the debtor, being kind to him and showing leniency by taking the right in a lesser amount.

Those who prohibit it are the majority and their proof is the *Hadith* of Ibn 'Abbas ﷺ that is confirmed in the Two *Sahihs*. He narrated that the Messenger of Allâh ﷺ said:

«مَنْ أَسْلَفَ فِي شَيْءٍ فَلْيُسْلِفْ فِي كَيْلٍ مَّعْلُومٍ وَوَزْنٍ بَيْنَ مَعْلُومٍ إِلَى أَجَلٍ مَّعْلُومٍ»

"Whoever pays in advance for something, then let him pay in advance for a specified measurement, and a clear and specified weight for a specified amount of time."[1]

The content of this *Hadith* is general. It has been said that the situation with Jabir was a specific situation that is not general, and the correct view is that this is prohibited as a way of cutting off the means of evil. This is also due to the *Hadith* of Ibn 'Umar ﷺ that is recorded in the Two *Sahihs* concerning the prohibition of *Al-Muzabanah*. *Al-Muzabanah* is that a person sells the fruit of his garden if they are on palm trees for fruit that is weighed, and if it is a crop (still in the field) he sells it for measured food, and if it is grapes (in the vineyard) he sells them for measured

[1] Al-Bukhari no. 2240 and Muslim no. 1604.

raisins. The first opinion is the most correct, because the *Hadith* of Jabir is an obvious text concerning the allowance of this. This is also due to what proceeded of the reasons that necessitate its permissibility. In reference to the situation meaning that the person would receive less than his right or same as it or more than it, then this is agreed upon as being prohibited due to the generality of the previous *Hadith* from Ibn 'Umar.

The Permanent Committee

The ruling on the Sale of Shares when the Ownership is shared

What is the ruling on the sale of shares when the ownership is shared on a piece of land whose borders, area, place and possession are specified by the mandates of a deed that confirms the joint sharing in its ownership and specifies the amount of these shares in reference to all of the land?

There is no harm in the circulating of shares that are jointly owned in real estate whose borders, area and place are all specified, as long as the person's percentage is known. For example, if his percentage is a fourth of the land or an eighth of it or four tenths of it and so forth. There is no harm in it being changed by buying, selling, being given as a gift, inheritance, mortgaged collateral and other than that from the rights of legislated exchange concerning what a man owns. This is due to there being no legislated prohibition concerning that.

May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

The ruling on buying the Fruit of Palm Trees then selling it while it is still on the Tree

Q There are people who buy fruit of palm trees at a specified price when they first begin to ripen, then they sell it for a profit while it is still on the trees. Is this permissible or not?

A This type of dealing is permissible from the Book and the Sunnah as it enters into the generality of the evidences concerning sales, and we do not know of any evidence that removes it from being included in this generality. This is also because the fruit is possessed by the first owner relinquishing it.

The Permanent Committee

The ruling on increasing the Price in return for Troubles endured

Q Is it permissible for me to buy some products from a place that is far away and then sell them at a slightly higher price due to my transporting them and my pains that I underwent? Is this considered *Riba*?

A There is no harm in that, if Allâh wills, if you bought them for yourself and you paid the price, then you carried them to another land and sold them for some profit in return for your work, transporting them and tying up your money in them and so forth. This is just as the rest of the people get profit from the products that they purchase. However, if you bought the products for your friend who appointed you as an agent and paid you his money so that you could buy the products for him, and you did that, you may not take any extra from him. The only exception is regarding what you yourself paid of the price, and the cost of carrying and transporting the goods and so forth.

Ash-Shaykh Ibn Jibreen

The Muslims are bound to their Conditions

Q I am a craftsman who makes pillows that are stuffed with wood shavings and when I sell them I explain to the buyer that they are stuffed with wood shavings. Is that permissible for me?

A If you informed the buyer that the stuffing of the pillows is from wood shavings and that this type of wood shavings is completely distinct from other types, so that when you informed him it was as if he witnessed it. If you informed everyone of this who purchased from you, there is no sin on you for that. This is due to the generality of the Prophet's statement:

«الْمُسْلِمُونَ عَلَى شُرُوطِهِمْ»

"The Muslims are bound to their conditions." [1]

The Permanent Committee

The Limit of Profit and the ruling on Price-Fixing

Q Is there a limit on the profit for business and what is the ruling on price-fixing?

A Profit has no limit, for verily it is from the provision of Allâh. Thus, Allâh will bring an abundant of provision to a person. Sometimes the person will profit by 1,000 times or more. He may buy something for a cheap price and then the prices go up, and thus he makes a huge profit. Likewise, the matter may be the opposite of this. He may buy a product that is expensive, but then it becomes extremely cheap. Thus, there is no limit for the profit that is permissible for the person to gain.

Yes, if this man is the one who specializes in this product and its marketing and he takes a huge profit from the people, that is not permissible for him, because this is similar to selling to the one

[1] At-Tirmithi no. 1352 and Abu Dawud no. 3594.

in dire need. This is because if the people's need becomes attached to this thing and it is not present except with this specific person, thus they have a need to buy from him. Hence, they will buy from him, even if the prices are extremely high for them. In the likes of this situation, it is permissible to regulate the prices on this person, and for the government and authorities to step in and set a suitable rate of profit for him that will not harm him in loss and that will prevent him from extremely high profits that will harm others.

From here we know that price-fixing is divided into two categories:

1. A category that the authorities resort to due to the injustice of the people and their monopolizing. There is no harm in this, because it is a form of good politics and it is confirmed from the Prophet ﷺ that he said:

«لَا يَحْتَكِرُ إِلَّا خَاطِئٌ»

"None monopolizes except the sinner."[1]

The sinner is the one who commits an error intentionally, and since he is a sinner, it is obligatory that his deviating from the path be corrected by the authorities. So, if the person monopolizes a product, and it is not with others besides him, and the people need it, the authorities must interfere in this and set a fixed profit that does not harm the seller and allows the buyer to benefit.

2. However, if the increase in prices is not due to injustice, rather it is from Allâh, either due to the small quantity of something or due to a reason from the reasons that affect the general economy. Then in this case it is not permissible to fix the prices, because this is not stopping any injustice by this person who raised the price. For verily, the matters are in the Hand of Allâh. For this reason, when the prices increased in Al-

[1] Muslim no. 1605.

Madinah during the time of the Prophet ﷺ, the people came to him and said, "O Messenger of Allâh, fix the prices for us." He replied:

«إِنَّ اللهَ هُوَ الْمُسَعِّرُ الْقَابِضُ الْبَاسِطُ الرَّازِقُ ، وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللهَ وَلَيْسَ أَحَدٌ مِنْكُمْ يُطَالِبُنِي بِمَظْلِمَةٍ فِي دَمٍ وَّلَا مَالٍ»

"Verily He, (Allâh) the Most High, is the fixer of the prices, the Withholder, the Bestower, the Provider. And verily, I hope to meet Allâh while there is not anyone of you who makes a request to me concerning some injustice in blood or wealth."[1]

Thus, the Prophet ﷺ refrained from fixing the prices for them because this price increase was not of their doing and their action.

With this we know that price-fixing is of two categories. If the cause of it is to stop injustice, there is no harm in it, and if it is an injustice that occurs by itself by the price increase not being a result of the injustice of man, then price-fixing in that case is unjust and not permissible.

Ash-Shaykh Ibn 'Uthaimin

Profit has no fixed Limit

Q Is it permissible to buy a car whose value on the market is 30,000 riyals and the price is paid over monthly installments, but the total cost is 50,000 riyals? This means that there is a difference of 20,000 riyals between the original cost and the cost after dividing the payments into installments. Is there anything wrong with this?

A There is no harm in the mentioned transaction if the car was owned by the seller and it actually was in his possession due to the generality of the evidences. There is no fixed limit for the profit. Rather, that differs according to the

[1] At-Tirmithi no. 1314 and Ibn Majah no. 2200

conditions of the buyer and according to the length or shortness of the time of payments.

It has been confirmed in the Two *Sahihs* from 'A'ishah ﵂ that Barirah ﵂ bought her freedom from her master for 9 *Awaaq* of silver to be paid over a period of 9 years. A payment of 1 *Uqiyah* was to be made each year. Yet, the Prophet ﷺ did not disapprove of that and he did not ask about her price if the sale was in cash paid up front. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The legislated Profit is according to the Custom of the Market

Q A friend buys a product for 60 pounds and sells it for 280 pounds. So, what is the Islamic ruling on that? What is the allowed profit according to the Islamic law in business?

A The Muslim must be sincere to the Muslims in general and he must avoid dividing them and causing harm to them in transactions. Thus, it is not permissible to exploit the ignorance of the ignorant person by increasing the price on him. The salesman must be satisfied with a profit that is customary among the people of the markets.

Ash-Shaykh Ibn Jibreen

The ruling on the Profit of the Product being more than Half

Q Is it permissible for me to earn on my sales product more than half in profit since I pay the rent on the business location and I pay the employees?

A The custom is that the products are sold according to what is equal to it in the markets and with the merchants. It makes no difference whether the profit is a lot or a little or

there is a loss. However, if there is no customary price, it is better that the salesman be moderate in taking profit according to the amount of rent he pays, the salaries of his employees and the amount of profit he gets after all of that. It should not be an extremely large increase that would harm the buyer who is unaware of what its equivalent value is.

Ash-Shaykh Ibn Jibreen

The Buyer paid the Price but he did not take the Merchandise

A man sold a camel to a *Hajj* pilgrim on the 8th day (of Thul-Hijjah) at Mina and the *Hajj* pilgrim paid him the cash based upon an agreement that he would receive the camel on the 10th day in Mina. However, the buyer did not come to get the camel on the promised date. After the end of the *Hajj* season, the buyer was still not present and the seller did not know his address. He simply sold the owner of the camel his camel and was free of it, and he received the price of it. So, what should he do with the money? Should he give it away in charity with intentions for him (the first buyer) or should he buy another camel in its place? This is while knowing that he (the first buyer) did not authorize it to be slaughtered or used for any dealing.

If the seller knows the name of the camel's owner, it is better for him to submit its price to the court in Makkah and inform them of the person's full name. Maybe he will be known and given his right. If he does not know the person, it is better for him to give the money in charity to the poor or use it in constructing *Masjids* with the intention being for the camel's owner. With this he frees himself of its responsibility and the owner of the camel is benefitted by that. If he submits the money to the court, he is also free of any responsibility, if Allâh wills.

Ash-Shaykh Ibn Baz

You are not obligated to cancel the Sale if you fulfilled the Conditions

Q I sold my car to someone and the agreement was finalized concerning its price. However, he gave me 700 riyals to keep the car with me until he could pay the rest of the price. Then, after about half a month, he came to me seeking to cancel the sale and get the money back that he previously paid for it. So, I refused to do that. Does he have the right to request this and what am I required to do now?

A If you respond positively to his request and return his money to him, that is better, and you will have a great reward with Allâh. This is due to the Prophet's statement:

«مَنْ أَقَالَ مُسْلِمًا بَيْعَتَهُ أَقَالَ اللهُ عَثْرَتَهُ»

"Whoever remits to a Muslim his sale, Allâh will remit for him his mistakes."[1]

In reference to what is required, you are not required to remit it if the considered conditions of the sale had been met legally. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

He sold something then it became apparent that it was no good

Q I am a man who sold something to another man one day. Then, eventually it became clear that the product was not suitable for his use and he tried to return it to me. However, I did not accept it from him. Then, he threw it at me and left, while knowing that when I sold it to him I thought that it was good and in working condition for use. I did not know that it was no good. So, now what is the position of the

[1] Abu Dawud no. 3460 and Ibn Majah no. 2199.

Islamic law regarding this transaction, and what is my position regarding this product? I hope for a beneficial answer regarding this, and I will be very grateful to you.

A You are pardoned if you did not know that it was no good at the time of the agreement. Then, after he returned it and you learned that it was no good from the time before your sale, you should take it back and return its price to him. You may also make an agreement with him to exchange it for another that works or you may decrease some of the price as a penalty for the defect. Now, after the product has been returned, you must search for that buyer and reconcile with him in the manner that we have mentioned. If you do not know him, then you should give the money away in charity to the poor and intend the reward of charity for its owner. And Allâh gives success.

Ash-Shaykh Ibn Jibreen

The Laws of Selling Gold and Buying it

The ruling on doing Business with Gold

Q Verily, I sell and buy Saudi gold pounds and gold ingots. So, when the price of the gold lowers on the market, I go and purchase a pound of gold, for example, for 300 riyals. Then, when its price goes up I sell it for 480 riyals. Is there anything wrong with this dealing according to the Islamic law? This is while knowing that I buy the pounds and I give the money to the money exchanger and I take the pounds and then I do the opposite of that in selling.

A There is no harm in the mentioned transaction if that is hand to hand (i.e., on the spot transactions) as you mentioned in the question. This is due to the *Hadith* of 'Ubadah bin As-Samit ﷺ from the Prophet ﷺ that he said:

«الذَّهَبُ بِالذَّهَبِ، وَالفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ،

وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، سَوَاءً بِسَوَاءٍ، يَدًا بِيَدٍ فَإِذَا اخْتَلَفَتْ هَذِهِ الأَصْنَافُ، فَبِيعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ»

"Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, like for like, the same for the same, hand to hand (i.e., paid at the time of transaction). So, if these thing differ (in the course of transaction), then sell however you wish, as long as it is hand to hand (i.e., paid at the time of transaction)."[1]

This was recorded by Imam Muslim in his *Sahih*.

Ash-Shaykh Ibn Baz

The ruling on taking a Product for Consultation regarding it

Q A man took some jewelry from me and said, "I will show it to my family to see if it is suitable for them (i.e., meaning his wife). If it is suitable I will bring you the money for it." What is the ruling on that?

A If an agreement was not reached between the two parties for buying and selling before he took it to show to his family, and he only took it to show to his family, and if they liked it he would buy it, and if not he would return it, that is allowed. In this case the jewelry is in the hand of the buyer like a trust until the sales agreement is completed, after his family is pleased with it.

The Permanent Committee

He bought some Gold from me and then returned it

Q If a person bought some gold from me, and paid its price, and received the gold, then he comes after some

[1] Muslim no. 1587.

time wanting to return the gold and take back his money that he paid to me, is that permissible for me to do? Or do I have to buy it from him if he wants the market price?

If the matter is like you mentioned, that is permissible by way of remitting and canceling the sale.

The Permanent Committee

The permissible Method of selling Gold for Gold

I went to the gold merchant with a collection of old jewelry. Then, he weighed it and said that its value was 1,500 riyals. Then, I bought new jewelry from him for 1,800 riyals. Is it permissible for me to pay him only 300 riyals (the difference) or do I have to take the 1,500 riyals then give him 1,800 riyals all together?

It is not permissible to sell gold for gold, except like for like and the same for the same. It must be weight for weight and hand to hand (i.e., paid on the spot). This is due to a statement from the Prophet ﷺ, as is reported in the authentic *Hadiths*, even if the type of gold differs, such as in newness and oldness or other than that from the types of differences. Likewise, silver is to be traded silver for silver.

The permissible method is that the person who wants to purchase gold for gold sells what he has of gold for silver or some other money currency. He takes the price, and then he buys what he needs of gold with its price in silver or money currency. This is to be paid on the spot, because the money is considered as having the status of gold and silver in the process of *Riba* when selling some of it for some and when selling gold and silver for it.

However, if the person sells the gold or the silver with something other than cash, such as cars, goods, sugar and similar things, there is no harm in the people separating before the payment is received. This is because there is no process of

Riba between the currencies of gold, silver and money and these mentioned things and whatever is similar to them.

Also, the time of payment must be made clear if the sale is based on the payment being made later. This is due to Allâh's Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ إِذَا تَدَايَنتُم بِدَيْنٍ إِلَىٰٓ أَجَلٍ مُّسَمًّى فَٱكْتُبُوهُ﴾

"O you who believe, when you contract a debt for a fixed period, write it down."[1]

Ash-Shaykh Ibn Baz

A permissible Transaction

Q I have some old jewelry and I went to sell it at the market. I presented it to one of the merchants who took it and gave me other jewelry in place of it without taking any increase from me or giving me any thing extra. I thought that this was something impermissible, so he said to me that if he weighed what he took from me and what he gave me, they would be equal. So, I believed him in that. I would like for you to give me a ruling concerning this transaction. This is while knowing that it is not possible for me to return the gold to him now if the transaction was not permissible.

A If they (the jewelry) were equal in weight along with the exchange taking place on the spot of the transaction, there is no harm in that, even if one of them was better than the other. This is due to the generality of the authentic *Hadiths* concerning this. If the merchant was lying, the sin is on him.

Ash-Shaykh Ibn Baz

[1] *Al-Baqarah* 2:282.

It is not permissible to delay Payment in selling Gold for Gold or for Money

If a person comes who wants to buy some gold jewelry and when what he wants is weighed for him, he finds that the amount that he has with him is not enough for the price of the gold, it is known in this situation that it is not permissible for me to sell him the gold and give it to him while he only gives me a portion of the price. But if it is morning time, for example, and he says to me, "I will leave the gold with you until *'Asr* time so that I can bring you the total amount of cash and then take the gold that I bought from you," is it permissible for me to leave the gold for him on his account until he returns to get it? Or am I required to cancel the deal and if he returns he is like the other buyers and there is nothing between us (i.e., he starts over in dealing)?

It is not permissible for the gold that he bought from you to remain on his account until he comes with the cash. Rather, the contract is not complete, and this is to avoid *Riba An-Nasi'ah*. The gold remains with you in your possession, and if he returns with the rest of the cash the proceedings for completing a new contractual sale begins at that meeting with the exchange (of money and merchandise) taking place between you.

The Permanent Committee

The ruling on exchanging used Gold for new Gold, like for like, while taking a Fee for Craftsmanship

What is the ruling concerning many of the people who have gold shops who deal with buying used gold (called *Al-Kasr*), and they take it to a gold merchant and exchange it for new gold that is specially crafted and that matches the weight of the old gold exactly? Then they take a fee for the

craftsmanship of the new gold.

It is confirmed from the Prophet ﷺ that he said:

«الذَّهَبُ بِالذَّهَبِ، وَالفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلًا بِمِثْلٍ، سَوَاءً بِسَوَاءٍ، يَدًا بِيَدٍ»

"Gold for gold, silver for silver, wheat for wheat, dates for dates, barley for barley, salt for salt, like for like, equal for equal, hand to hand (i.e., paid on the spot)."[1]

It is also confirmed from him that he said:

«مَنْ زَادَ أَوِ اسْتَزَادَ فَقَدْ أَرْبَى»

"Whoever increases or seeks an increase, then indeed he has committed a Riba transaction."[2]

It is also confirmed from him that he was given some good dates, so he asked about them. The people said, "We would take a *Sa'* of this for two *Sa's* (of bad dates) and two *Sa's* for three *Sa's*." So, the Prophet ﷺ commanded that the sale be canceled and he said:

«هَذَا عَيْنُ الرِّبَا»

"This is Riba, exactly."

Then he directed them to sell the lower quality dates for cash, and then to use that cash to buy good dates.

From these *Hadiths* you can tell that what the questioner mentioned of exchanging gold for gold while adding a fee for the craftsmanship done to one of them is a forbidden matter. It is not permissible and it is included in the *Riba* transactions that the Prophet ﷺ prohibited. The safe method in this is that the used gold be sold for a price without any secret understanding or agreement. Then, after its owner takes the money, he buys the

[1] Muslim no. 1587.
[2] Muslim no. 82/1584,1588.

new thing. It is better that he search for the new thing in another place and if he does not find it he may return to the person to whom he sold the gold and buy with the cash. If the person increases the price, there is no harm in that. The important thing is that there is no trading of gold with gold while paying some difference, even if that is due to some special craftsmanship work. This is if the merchant is a merchant only for sale. However, if the merchant is also a goldsmith, then the buyer can say, "Take this gold and make if for me how I want it to be fashioned, and I will give you the cost for the work when the work is finished," there is no harm in that.

Ash-Shaykh Ibn 'Uthaimin

The ruling on verbal Representation between the Owners of the Gold Shops

Is it necessary that representation in a sale be a verbal agreement between the owners of gold shops, or is it sufficient for example that the person takes the gold from the other based upon what they are accustomed to between them of knowing that the other will sell it at a known price?

Representation is one of the contractual agreements that are carried out by whatever alludes to them of statements or actions. If the custom that is practiced among the people of the shops is that if there is a product that is not present with one of them, and a buyer stops at his place looking for it, he goes to his neighbor and takes the product from him to sell it for him, and the price is known with the person who took it and sold it for his companion for a known price between them, then there is no harm in that. This is because the representation is - as the people of knowledge have said - carried out by whatever alludes to it of statements or actions.

Ash-Shaykh Ibn 'Uthaimin

The ruling on buying Gold for delayed (Credit) Payment

Verily, some of the owners of gold shops sell gold on delayed payment, believing that this is lawful. Their argument is that this is from the offers of sale. Their leader was disputed with about this practice and informed that it was not permissible and he responded by saying that the people of knowledge do not have adequate knowledge of this practice.

Verily this — I mean the selling of gold for cash to be paid later — is forbidden according to the consensus (*Ijma'*) of the Muslim scholars. This is because it is *Riba Nasi'ah*. Also, the Prophet ﷺ said in a *Hadith* of 'Ubadah bin As-Samit, when he ﷺ said:

«الذَّهْبُ بِالذَّهْبِ وَالفِضَّةُ بِالْفِضَّةِ»

"Gold for gold, silver for silver"

He ﷺ went on to say:

«فَإِذَا اخْتَلَفَتْ هٰذِهِ الأَصْنَافُ، فَبِيعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ»

"If these types of things differ, then sell them however you wish, as long as it is hand to hand (i.e., paid on the spot)."[1]

This is what the Prophet ﷺ ordered. In reference to the person's saying that the people of knowledge do not know about this, then this is an accusation against the people of knowledge that is misplaced. This is because the people of knowledge are as the man described them - people of knowledge. And knowledge is the opposite of ignorance. If they do not know, it would not be correct for him to call them 'people of knowledge'. They know the limits of what Allâh has revealed upon His Messenger ﷺ and they know that a practice like this is a forbidden act due to the proof of the text regarding its forbiddance.

Ash-Shaykh Ibn 'Uthaimin

[1] Muslim no. 1587.

The ruling on whoever bought Gold under the Condition that it was suitable for his Family

Q What is the ruling if a buyer comes and buys some gold merchandise and then he stipulates that if it is not suitable he will return it to the shop to exchange it or get his money back? What is the legislated course of action in this situation, as some of these people live far away from the city in places where it is impossible for the person himself to return to the shop on the same day or after even two days?

A What is better and best in a situation like this is for the man to take the gold merchandise before the agreement is finalized and bring it to his family. If it is suitable, he should return to the owner of the shop and barter with him starting the purchase anew. This is what is best. However, if he bought it from him and made a sales agreement, and then he stipulated that he has the choice of keeping it if it suits his family or returning it, this is a matter concerning which there is a difference of opinion among the people of knowledge. Among them are those who permit that and say that verily the Muslims are bound to their conditions. Among them there are those who prohibit this and say that this condition allows something forbidden, which is separating before finalizing the sales agreement in the required manner. The first opinion is the obvious view and it was chosen by Shaykhul-Islam Ibn Taimiyyah. The second view is the well-known view of the *Mathhab* (i.e., the *Hanbali Mathhab*) and that every contract contains the condition of exchange of possession, thus it is not correct to make a condition of choice. Based upon this, if the person wants to be free of responsibility and safe, he should follow the first method mentioned, which is that he takes it and consults with his family about it before finalizing the sale.

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling used Gold as if it is new

What is the ruling concerning some of the owners of gold shops buying used gold that is clean, and then displaying it for sale at the price of new gold. Is this type of dealing permissible or is it necessary to inform the buyer that it is used? Or is it not necessary to inform them, as some of the buyers do not ask whether it is new or not?

What is obligatory upon him is to be sincere and to love for his brother what he loves for himself. From what is known is that if a person sold you something slightly used with no effects of its use, and he sold it to you as if it were new, you would consider that deceit and treachery on his part. So, if you would not be pleased with the people doing this to you, how can you permit it for yourself to do it to others? Based on this, it is not permissible for the person to do the likes of this act until he makes it clear to the buyer and tells him that this item is slightly used or something similar to that.

Ash-Shaykh Ibn 'Uthaimin

The ruling on mixing some Gold with other Gold in the Factory when melting it

What is the ruling concerning someone who gives his gold to a gold factory so that they can fashion it for him, and it is likely that his gold got mixed with other gold when melting the gold in the factory? However, when he receives it from the factory, he receives the same weight that he gave.

It is obligatory upon the factory to not mix the possession of the people together and to distinguish each one separately since the quality of gold differs. However, if the quality of the gold is not different, there is no problem with this (mixing) as it does not harm.

Q Is it mandatory to pay a fee for manufacturing when receiving gold (i.e., from manufacturers) or should we consider it a running account (i.e., to be paid later)?

A It is not mandatory that this be paid, because this is a fee for work (and not the gold itself). So, if it is given when the gold is received that is fine, and if not, whenever it is given is correct.

Ash-Shaykh Ibn 'Uthaimin

If the Salesman places a Condition on the Buyer that he must buy new Gold from him if the Buyer sells him old Gold

Q What is the ruling regarding some of the owners of the gold shops stipulating a condition on the person selling them used gold that he must buy new gold from them?

A This is not permissible, because it is conniving to sell gold for gold with some difference between the qualities, and conniving is prohibited in the Islamic law, because it is deception and playing with the Laws of Allâh.

Ash-Shaykh Ibn 'Uthaimin

There is no Problem with this Action

Q What is your eminence's opinion concerning some of those who buy gold asking about the price of the new gold, then once they know its price they pull out some used gold that they have with them and sell it? Then, when they receive the cash they buy some new merchandise.

A There is no problem with this as long as there is no agreement and secret understanding before hand. However, Imam Ahmad held the view that in this situation the person should go and seek the new merchandise somewhere else and buy from there. If he is not able to find it, he may return to

the one whom he sold the gold to at first and buy from him. This is so that this transaction will be removed from any doubt and resemblance to conniving.

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever sold used Gold and did not receive the Price, and then he purchased new Gold while just paying the Difference

Q What is the ruling concerning whoever sold gold to the owner of a shop, and then he bought other gold from the owner of the shop with an amount close to the amount for which he sold his gold to him, for example? Then he pays the shop owner the value of the gold that he bought from the value of the gold that he sold to him while not actually receiving the money for his gold.

A This is not permissible, because if he sold something for a price that he did not receive, and then he took something in place of its price that it is not permissible to sell on credit, the *Fiqh* scholars have clearly declared this to be forbidden. This is because he has taken a means of deception to sell what is not permissible to sell on credit by this method of not receiving payment. If it (the gold) is of the same type, it becomes a deceitful way of practicing *Riba Al-Fadhl* and *Riba An-Nasi'ah*.

Ash-Shaykh Ibn 'Uthaimin

The ruling on working with the People in the Shops who deal in forbidden Transactions

Q What is the ruling on working with people in shops who deal in forbidden transactions that are not legislated, whether it is *Riba* transactions or forbidden forms of trickery or deceit or other than that from the transactions that are not legislated?

Working with these people who deal with *Riba* or deceit or other than that of the forbidden things, is forbidden. This is due to the Statement of Allâh, the Most High:

﴿وَلَا تَعَاوَنُوا۟ عَلَى ٱلْإِثْمِ وَٱلْعُدْوَٰنِ﴾

"And do not cooperate in sin in transgression." [1]

It is also due to His Statement:

﴿وَقَدْ نَزَّلَ عَلَيْكُمْ فِى ٱلْكِتَٰبِ أَنْ إِذَا سَمِعْتُمْ ءَايَٰتِ ٱللَّهِ يُكْفَرُ بِهَا وَيُسْتَهْزَأُ بِهَا فَلَا تَقْعُدُوا۟ مَعَهُمْ حَتَّىٰ يَخُوضُوا۟ فِى حَدِيثٍ غَيْرِهِۦٓ إِنَّكُمْ إِذًا مِّثْلُهُمْ﴾

"And it has already been revealed to you in the Book (this Qur'an) that when you hear the Verses of Allâh being denied and mocked at, then sit not with them until they engage in a talk other than that; (but if you stayed with them) certainly in that case you would be like them."[2]

This is also due to the Prophet's statement:

«مَنْ رَأَى مِنْكُم مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ، فَإِنْ لَّمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَإِنْ لَّمْ يَسْتَطِعْ فَبِقَلْبِهِ»

"Whoever among you sees an evil, then let him change it with his hand, and if he is not able, then with his tongue, and if he is not able, then with his heart."[3]

Therefore, the worker who works with them and he does not change the situation with his hand, nor with his tongue, nor with his heart, then he is disobeying the Messenger ﷺ.

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Gold before receiving its Price

What is the ruling on giving gold before receiving its price? And what if the person who wants it is a relative

[1] *Al-Ma'idah* 5:2.
[2] *An-Nisa* 4:140.
[3] Muslim no. 49.

and one fears from severing the family ties with him, even though I know quite well that he will pay its price, even if it is after some time?

It is obligatory for you to know the general principle that selling gold for cash is never permissible unless the price is received in full. There is no difference in this between the relative and the stranger, because the religion of Allâh gives no preferential treatment to anyone. If the relative becomes angry with you due to your obedience of Allâh, then let him be angry. For verily, he is the wrongdoing sinner who wants you to fall into disobedience of Allâh. In reality, you have done an act of righteousness by prohibiting him from dealing with you in this forbidden transaction. Therefore, if he becomes angry or cuts you off due to this, then he is the sinner and no portion of his sin is on you.

Ash-Shaykh Ibn 'Uthaimin

He bought some Gold and kept it until its Price increased, then he sold it

A man bought a piece of gold for 200 dinars and he kept it for a period of time until the value of the gold increased. Then, he sold it for 3,000 dinars. So, what is the ruling on this increase?

There is no harm in this increase and no problem with it since the Muslims have remained like this in their buying and selling. They buy products and wait until the price increases and maybe they buy it for themselves to use and then the value goes up very high and they see the opportunity to sell it. Thus, they sell it even though they did not have the intention to sell it before. What is important here is that the increase, when it follows the market (price), there is no harm in it even if it increases manyfold.

However, if the increase is in gold when exchanging it for other

gold and taking an increase for other gold, then this is forbidden. This is because selling gold for gold is not permissible unless it is done weight for weight and hand to hand (i.e., paid up front) as is confirmed by the *Hadith* of the Messenger of Allâh ﷺ. So, if you sold gold for gold, even if they differed in quality, meaning that one of them is better than the other, this is not permissible except like for like, equal for equal and hand to hand. If you took two *Mithqals* of 18kt gold for a *Mithqal* and a half of 24kt gold, this is forbidden and it is not permissible because they must be equal (in weight). If you took two *Mithqals* of gold for two *Mithqals* of gold, but one of them is to be given at a later time, then that is also not permissible, because the gold must be received at the meeting of the sales agreement. Similar to this is selling gold for the known paper money. If the person buys gold from the merchant or the goldsmith, it is not permissible for him to go away from him until he gives him the complete price, as this paper money has the status of silver, and selling gold for silver must be done with receipt taking place at the meeting of the sale agreement before the parties separate. This is due to the Messenger's statement:

«فَإِذَا اخْتَلَفَتْ هٰذِهِ الأَصْنَافُ، فَبِيعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيَدٍ»

"If these types of items differ, then sell however you wish, as long as it is hand to hand."[1]

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Gold Rings to Men if they will wear them

Q What is the ruling on selling gold rings that are specifically for men to wear if the merchant is certain that the buyer will wear them?

A Selling gold rings to men, if the salesman knows that the buyer will wear them or it seems likely to him that he will

[1] Muslim no. 1587

wear them, then selling them to him is forbidden. This is because gold is forbidden for the males of this *Ummah*. So, if he sells it (gold) to someone that he knows will wear it or he thinks he will probably wear it, then he has aided in the committing of sin. Indeed Allâh prohibited cooperating for sin and transgression. Allâh, the Most High, said:

﴿وَتَعَاوَنُوا۟ عَلَى ٱلْبِرِّ وَٱلتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا۟ عَلَى ٱلْإِثْمِ وَٱلْعُدْوَٰنِ ۚ﴾

"And cooperate in righteousness and piety and do not cooperate in sin and transgression."[1]

Also, it is not permissible for the goldsmith to make gold rings for men to wear.

Ash-Shaykh Ibn 'Uthaimin

The ruling on whoever took some Gold to consult over it and he gave some other Gold as collateral until he returned

Q What is the ruling on the merchant taking some gold in return for gold that the buyer wants to consult over, and this gold that the merchant takes is collateral until the buyer returns what he took from him? This is while knowing that the weights definitely are different between what he took and what was given as collateral.

A There is no harm in this, as long as he is not selling him the gold, and he (the buyer) only said, "Take this gold as collateral with you until I go and consult over it, and then I will return to you so we can start the sale over." Then, when they carry out the sale, the buyer gives him the complete price and takes his gold back that he gave as collateral to him (the merchant).

Ash-Shaykh Ibn 'Uthaimin

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[1] *Al-Ma'idah* 5:2.

He bought some Gold and paid some of the Price and went to bring the rest from the Bank

What is the ruling regarding someone who bought some gold and finalized the sale agreement for it, then he paid the price and a portion still remained to be paid? Is it permissible for him to go to any place to bring the rest after a short period of time, for example if he goes to the car or the bank, and he does not receive the gold until after he brings the rest of the money? Is this act correct? If not, is he required to redo the sales agreement after he brings the rest of the money?

It is better for that they redo the sales agreement after he brings the rest of the money and there is no harm in that. The only thing that they are repeating is the wording. If they leave the sales agreement off until he brings the rest of the money that is even better, because there is no need for the agreement before the money is present. And Allâh gives success.

Ash-Shaykh Ibn 'Uthaimin

The ruling on exchanging used Gold that is pure for new Gold that has stones in it

There are some owners of gold shops who go to the gold merchant and take new gold from him that weighs one kilo, for example, and this gold will be mixed with stones. The stones may be precious stones that are called diamonds or zircons or other things. Then the buyer gives the merchant pure gold in return for this kilo, weight for weight. However, the pure gold does not contain any stones. Then, the seller will take an extra fee for this that is called the manufacturing fee. Thus, the seller will have two increases. The first is the increase of gold in return for the weight of stones, and the second is the increase of the manufacturing fee, because he is

a gold merchant and not a manufacturer of gold. So, what is the ruling on this practice? May Allâh give you success.

This practice is forbidden, because it contains *Riba*, and the *Riba* in it is from two aspects as the questioner mentioned. The first aspect is the increase in gold, as he makes what gold equal to stones and other things. This is similar to the necklace that was mentioned in the *Hadith* of Fadhalah bin 'Ubaid when he bought a necklace that contained gold and pearls for 12 dinars. Then, he separated it and found that it contained more (i.e., it was worth more than 12 dinars). So, the Prophet ﷺ said:

«لَا تُبَاعُ حَتَّى تُفْصَلَ»

"It should not be sold until its contents are considered separately."[1]

In reference to the second increase, it is in the addition of the manufacturing fee. This is because the correct opinion is that the addition of the manufacturing fee is not permissible, because the manufacturing, even if it was from the work of man, but it is an increase in the description of something that is prone to *Riba*. This increase in the description resembles the increase in description which is from the creation of Allâh. Indeed the Prophet ﷺ prohibited that a *Sa'* of good dates be purchased for two *Sa's* of lower quality dates. What is obligatory on the Muslim is to beware of *Riba* and avoid it, because it is of the greatest of sins.

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Gold that contains Drawings and Pictures

What is the ruling on selling gold that contains drawings or pictures, like a butterfly or the head of a

[1] Muslim no. 1591.

snake or something similar to that?

A The gold and silver jewelry that is made in the form of animals is forbidden to sell, forbidden to buy and forbidden to wear. It is forbidden to take it. This is because it is obligatory for the Muslim to erase pictures and remove them. This is like what is in *Sahih Muslim* on the authority of Abul-Hayyaj, that 'Ali bin Abu Talib ﷺ said to him, "Shall I not send you on the mission that the Messenger of Allâh ﷺ sent me on? It is that you do not leave any picture except that you erase it or any elevated grave except that you level it." It is confirmed from the Prophet ﷺ that the angels do not enter a house that has pictures in it. Based on this, it is obligatory for the Muslims to avoid using this jewelry, selling it and buying it.

Ash-Shaykh Ibn 'Uthaimin

The ruling on dealing with Checks in selling Gold

Q What is the ruling on dealing with checks in selling gold if they are used for paying at the time of the sale, as some of the people who sell gold deal with checks due to fear for themselves and their cash that it may be stolen from them?

A It is not permissible to deal with checks in selling gold or silver. This is because checks are not money received. They are only promissory notes of exchange. The proof of this is that this person who took the check, if he loses it he will go back to the person who gave it to him (for repayment). If he had received money he would not go back to the buyer if he lost it. An explanation of this is that if a man bought some gold for cash and the salesman received the cash and took it to his place, but he lost it, he would not go back to the buyer (for repayment). However, if he took a check from the buyer and then took it to the bank to receive the money from the bank, but then he lost it, he would go back to the buyer for the money. This is a proof that the check is not truly receiving money, and since it is not a receipt of money, it is not correct to sell gold with it. This is

because the Prophet ﷺ commanded that the selling of gold and silver be hand to hand (i.e., payment on the spot). The only exception is if the bank verifies the check and the seller contacts the bank and says to them, "Hold the cash as a guarantee set aside for me." In this case, this is allowed. And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

The ruling on reserving Gold (i.e., putting it on 'lay-away') by paying some of its Price

Q What is the ruling on reserving gold by paying some of its price and securing it with the merchant until the complete price is paid (i.e., putting it on 'lay-away')?

A This is not permissible because if the merchant sells it, the sale necessitates that its possession transfers from the seller to the buyer, and this is not permissible. Rather, the price must be received in full. Then, if the buyer wants he may leave it with him or he may take it. Yes, if he (the merchant) makes an offer to him, but he does not sell it to him, then he goes and comes back with the rest of the money and thereafter they finalize the sale and the money is received after that, then this is permissible, because the sale agreement didn't occur until after the money was given.

Ash-Shaykh Ibn 'Uthaimin

Delayed Payment in selling Gold

Q What is the ruling on whoever buys some gold and he still has a balance to pay on its price and he says, "I will bring it to you when I am able."?

A This transaction is not permissible. If the person did so, the sales agreement is correct regarding what the merchant took for it and it is invalid regarding what he did not take (i.e., the unpaid balance). This is because the Prophet

ﷺ said regarding selling gold and silver:

«بِيعُوا كَيْفَ شِئْتُمْ، إِذَا كَانَ يَدًا بِيدٍ»

"Sell however you wish, as long as it is hand to hand."[1]

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Gold in the form of Pictures of Animals

Q Is it permissible to sell gold in the form of pictures of animals and selling gold coins that have the picture of half a man on them?

A Selling the picture of creatures with souls and buying it is forbidden due to what is confirmed from the Messenger of Allâh ﷺ that he said:

«إِنَّ اللهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالأَصْنَامِ»

"Verily, Allâh and His Messenger have forbidden selling intoxicants, dead animals (that were not slaughtered properly), pork and idols."[2]

This *Hadith* is agreed upon. This is also due to what this causes of exaggeration regarding the people in the pictures, just like what happened with the people of Noah. Indeed it has been reported in the *Sahih* of Imam Al-Bukhari from Ibn 'Abbas ﷺ concerning Allâh's Statement:

﴿وَقَالُوا۟ لَا تَذَرُنَّ ءَالِهَتَكُمْ وَلَا تَذَرُنَّ وَدًّا وَلَا سُوَاعًا وَلَا يَغُوثَ وَيَعُوقَ وَنَسْرًا ﴿٢٣﴾﴾

"And they said, 'Do not abandon your gods, and do not abandon Wadd nor Suwa' nor Yaghuth nor Ya'uq nor Nasr." [3]

He said, "These were the names of righteous men from the

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[1] Muslim no. 1587.

[2] Al-Bukhari no. 2236 and Muslim no. 1581.

[3] *Nuh* 71:23.

people of Noah. When they died, Satan inspired their people to erect statues in their meeting places where they used to sit and name them with the names of these men. Thus, they did that, but the statues were not worshiped until these people (who made the statues) had died and the knowledge was lost. Then, they were worshiped." This prohibition is also due to numerous other texts that have been reported concerning the forbiddance of picture making and using that which contains images of creatures with souls. This is in reference to that which is in the forms of creatures with souls. Regarding whatever has pictures on it of something that is in the form of creatures with souls — regardless of whether it is gold coins or silver coins or cash currency or cloth material or tools — if it circulates among the people in order to be hung on the walls and so forth, from what is not considered disgracing it, then dealing with it is forbidden. This is because it is included in the evidences of the forbiddance of picture making and using pictures of creatures with souls. If what is on it is a picture that is disgraced, like a tool used for cutting or a carpet that is stepped on or a pillow that is slept on and so forth, then that is permissible. This is due to what is confirmed in the Two *Sahihs* from 'A'ishah ﵂ that she hung a curtain that had pictures on it. So, the Messenger of Allâh ﷺ entered and took it down. She said, "I cut it (the curtain containing pictures) into two pillows and he used to recline on them." In the wording recorded by Ahmad, she said, "I cut it into two reclining pillows and indeed I saw him reclining on one of them and it had a picture on it." This is said while knowing that making pictures of creatures with souls is forbidden and it is not permissible to do it — not for currencies or clothes or anything else — due to what preceded of evidences regarding that. And Allâh gives success. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

The ruling on selling Gold Watches to Men and likewise Rings and Pens

Q Is it permissible to sell watches that have gold on them to men? Likewise, what is the ruling on selling rings and pens that have gold on them (to men)? Whoever sells any of this, what is the ruling on the wealth that he gained?

A It is permissible to sell watches and rings made of gold and silver to men and women both. However, a man may not wear a gold watch or a gold ring or anything coated with gold.

Likewise, the silver watch is only for women. In reference to a silver ring, it is permissible for men and women. In reference to gold and silver pens, it is not permissible for men and women both to use them, because they are not jewelry. It is only similar to containers made of gold and silver, and containers made of gold and silver are forbidden for everyone. This is due to the statement of the Prophet ﷺ:

«لَا تَشْرَبُوا فِي آنِيَةِ الذَّهَبِ وَالْفِضَّةِ، وَلَا تَأْكُلُوا فِي صِحَافِهَا فَإِنَّهَا لَهُمْ فِي الدُّنْيَا وَلَنَا فِي الْآخِرَةِ»

"Do not drink from a container made of gold or silver and do not eat from dishes made of them (gold and silver). For verily, they are for them (meaning the disbelievers) in this life and they are for you all (the Muslims) in the Hereafter."[1]

The authenticity of this *Hadith* is agreed upon.

There is also the Prophet's statement:

«الَّذِي يَشْرَبُ فِي إِنَاءِ الْفِضَّةِ (وَالذَّهَبِ) إِنَّمَا يُجَرْجِرُ فِي بَطْنِهِ نَارَ جَهَنَّمَ»

"He who drinks from a container made of gold and silver, he only gargles the Fire of Hell in his stomach."[2]

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[1] Al-Bukhari no. 5426.
[2] Muslim no. 2065.

This was recorded by Imam Muslim in his *Sahih*. Spoons, teacups, coffee cups and so forth have the same ruling as the containers.

We ask Allâh to grant all of the Muslims success in doing that which contains His Pleasure, and to keep them safe from those things that bring about His anger. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Rulings on Selling and Buying Shares

Buying Shares of Banks and selling them is forbidden and it is *Riba*

Q What is the ruling on buying shares of banks and selling them after a period of time? This is by 1,000 becoming 3,000, for example. Is this considered *Riba*?

A It is not permissible to sell shares of banks or to buy them, as it is selling cash for cash without stipulating equivalency and actually receiving the money. This is also because the banks are *Riba* based institutions and it is not permissible to work with them in buying and selling. This is due to Allâh's Statement:

﴿وَتَعَاوَنُوا۟ عَلَى ٱلْبِرِّ وَٱلتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا۟ عَلَى ٱلْإِثْمِ وَٱلْعُدْوَٰنِ ۚ﴾

"And cooperate in righteousness and piety and do not cooperate in sin and transgression." [1]

This is also due to what is confirmed from the Prophet ﷺ that he cursed whoever devours *Riba*, whoever gives it, whoever writes it and those who witness it. He said:

«هُمْ سَوَاءٌ»

[1] *Al-Ma'idah* 5:2.

"They are all equal (in sin)."[1]

This was recorded by Imam Muslim in his *Sahih*.

You do not get anything other than your principal amount of money and my advice to you and to others beside you among the Muslims is to avoid all *Riba* transactions, warn against them and to repent to Allâh from what you might have done of that in the past. This is because the *Riba* transactions are an attempt to wage war with Allâh and His Messenger ﷺ and they are from the causes of Allâh's anger and punishment. This is as Allâh said:

﴿ٱلَّذِينَ يَأْكُلُونَ ٱلرِّبَوٰا۟ لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ ٱلَّذِى يَتَخَبَّطُهُ ٱلشَّيْطَٰنُ مِنَ ٱلْمَسِّ ۚ ذَٰلِكَ بِأَنَّهُمْ قَالُوٓا۟ إِنَّمَا ٱلْبَيْعُ مِثْلُ ٱلرِّبَوٰا۟ ۗ وَأَحَلَّ ٱللَّهُ ٱلْبَيْعَ وَحَرَّمَ ٱلرِّبَوٰا۟ ۚ فَمَن جَآءَهُۥ مَوْعِظَةٌ مِّن رَّبِّهِۦ فَٱنتَهَىٰ فَلَهُۥ مَا سَلَفَ وَأَمْرُهُۥٓ إِلَى ٱللَّهِ ۖ وَمَنْ عَادَ فَأُو۟لَٰٓئِكَ أَصْحَٰبُ ٱلنَّارِ ۖ هُمْ فِيهَا خَٰلِدُونَ ﴿٢٧٥﴾ يَمْحَقُ ٱللَّهُ ٱلرِّبَوٰا۟ وَيُرْبِى ٱلصَّدَقَٰتِ ۗ وَٱللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَثِيمٍ ﴿٢٧٦﴾﴾

"Those who devour Riba will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaytan (Satan), leading him to insanity. That is because they say, 'Selling is only like Riba,' whereas Allâh has permitted selling and forbidden Riba. So, whoever receives an admonition from his Lord and stops eating Riba, shall not be punished for the past; his case is for Allâh (to judge); but whoever returns (to Riba), such are the dwellers of the Fire - they will abide therein. Allâh will destroy Riba and will give increase to Sadaqat (deeds of charity, alms), and Allâh does not like the every disbelieving sinner."[2]

And He said:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ ٱتَّقُوا۟ ٱللَّهَ وَذَرُوا۟ مَا بَقِىَ مِنَ ٱلرِّبَوٰٓا۟ إِن كُنتُم مُّؤْمِنِينَ ﴿٢٧٨﴾

[1] Muslim no. 1598.
[2] *Al-Baqarah* 2:275-276.

فَإِن لَّمْ تَفْعَلُوا۟ فَأْذَنُوا۟ بِحَرْبٍ مِّنَ ٱللَّهِ وَرَسُولِهِۦ ۖ وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَٰلِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾

"O you who believe! Fear Allâh and give up what remains (due to you) from Riba (from now onward), if you are (really) believers. And if you do not do it, then take a notice of war from Allâh and His Messenger. But if you repent, you shall have your capital sums. You do not deal unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums)."[1]

This is also based upon what preceded in the noble *Hadith*.

Ash-Shaykh Ibn Baz

The ruling on doing Business with Shares of Companies

Q What is the Islamic ruling regarding shares of companies that circulate on the markets? Is it permissible to do business in this?

A I cannot answer this question because the present companies in the markets differ in their transactions with *Riba*. If you know that this company deals with *Riba* and distributes the profits of *Riba* among the shareholders, then it is not permissible to have a share in that company. If you were already a shareholder and then you found out afterwards that this company deals in *Riba*, then you should go to the administration and request to be removed as a shareholder. If this is not possible, then you remain with the company and when the profits come, and the stock report clarifies what these reported profits are, you take the lawful profits and the forbidden *Riba* profits you give in charity to get rid of it. If you did not know about this, then it is safer for you to give half the profit in charity to rid yourself of it (the *Riba*) and the

[1] *Al-Baqarah* 2:278-279.

remainder is for you. This is because this is what you are able to do, and Allâh has said:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So, fear Allâh as much as you are able."[1]

Ash-Shaykh Ibn 'Uthaimin

Doing Business in Currencies

Q Is it permissible for the Muslim to do business in currencies and is this in agreement with Islam? What is the view of the religion (i.e., Islam) concerning this?

A There is no harm in doing business in currencies, which is selling money for money, but under the condition that the money is handed over before the two parties separate. It makes no difference if the person gives the money itself and receives something that takes of the place of it, such as verified, dependable checks, and it makes no difference whether the two exchangers are the owners of the currencies or representatives. If the custom is not performed like this description, then it is not permissible and the person who does it is disobedient in his action and deficient in faith. However, this does not expel the person (from Islam) into disbelief.

Ash-Shaykh Ibn Jibreen

The ruling on buying and selling Currencies

Q Is it permissible for the Muslim to buy dollars or other currencies at a cheap price and then, after the price goes up, sell them?

A There is no harm in that if he buys the dollars or any other currency and keeps it with him. Then he sells them after that when the price goes up. There is no harm in that. However,

[1] *At-Taghabun* 64:16.

he must buy them hand to hand (by paying up front) and not on credit to be paid later. He buys the dollars with Saudi riyals or Iraqi dinars (for example) hand to hand. Currency must be paid for up front just like buying gold with silver, hand to hand. And Allâh is the One Who is sought for help.

Ash-Shaykh Ibn Baz

The ruling of selling American Dollars to be paid for later

Q What is the ruling on selling American dollars on credit to be paid later as a means of earning money, and what must be paid to the seller when the time for payment comes, under the assumption that the sale is not permissible? What is the consequence of the likes of this transaction in reference to those who are involved in it?

A The American dollar is considered cash and dealings with it run in the same manner as dealings with any cash currencies. Based upon this, it is not permissible to sell it for its like (i.e., dollars) while taking an increase for earning for delayed payment. This is due to what this contains of *Riba Al-Fadhl* and *Riba An-Nasi'ah*. It is also not permissible to sell it for some other types of cash currencies for delayed payment due to what it contains of delayed changing of money, which is a form of *Riba An-Nasi'ah*. The business contract in both situations is corrupt.

In reference to what the person pays to the seller, he pays the original sum without paying anything more than it of increased earning. This is due to Allâh's Statement:

﴿وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَٰلِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ ﴿٢٧٩﴾﴾

"But if you repent, you shall have your capital sums. You do not deal unjustly (by asking for more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your

capital sums)." [1]

He also deserves to receive it immediately due to the corruption of the sales contract. In reference to what is the consequence of this contractual agreement, it is the acceptance of the repentance of whoever refrains from this evil after it has been explained and he repents to Allâh. The authorities may also punish him with what they think is suitable to make him stop this practice if he continues in it and does not repent from his sin. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

The Forbidden Sales Transactions

The ruling on Prizes that are given by Places of Business

All praise is due to Allâh and may prayers of peace and blessing be upon the Messenger of Allâh, his family and his Companions. To proceed: Indeed it has been noticed that some of the institutions and places of business have begun spreading advertisements in the newspapers and other places concerning the giving of prizes to whoever buys some of their displayed merchandise. This is from that which tempts some of the people into buying from this place instead of buying somewhere else or buying products that the person has no need for, in hopes that he will get one of these prizes. Since this is a type of forbidden gambling Islamically and it leads to devouring the wealth of the people in falsehood, and due to what it contains of temptation, and causing the promotion of the merchant's product and the depreciation in the sale of a similar product of others who do not practice this form of gambling as he does — for this reason I wanted to inform the Muslims that this act is forbidden and the

[1] *Al-Baqarah* 2:279.

prize that is won by this method is forbidden, as it is from the forbidden games of chance Islamically, which is gambling. Thus, it is obligatory upon the owners of the business to avoid this gambling and that they suffice themselves with what suffices the people. Indeed Allâh said:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ لَا تَأْكُلُوٓا۟ أَمْوَٰلَكُم بَيْنَكُم بِٱلْبَٰطِلِ إِلَّآ أَن تَكُونَ تِجَٰرَةً عَن تَرَاضٍ مِّنكُمْ ۚ وَلَا تَقْتُلُوٓا۟ أَنفُسَكُمْ ۚ إِنَّ ٱللَّهَ كَانَ بِكُمْ رَحِيمًا ﴿٢٩﴾ وَمَن يَفْعَلْ ذَٰلِكَ عُدْوَٰنًا وَظُلْمًا فَسَوْفَ نُصْلِيهِ نَارًا ۚ وَكَانَ ذَٰلِكَ عَلَى ٱللَّهِ يَسِيرًا ﴿٣٠﴾﴾

"O you who believe! Do not devour your wealth among yourselves unjustly except that it be a trade among you, by mutual consent. And do not kill yourselves (nor kill one another). Surely, Allâh is Most Merciful to you. And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allâh." [1]

This gambling is not from the business that is allowed by mutual consent. Rather, it is a game of chance that Allâh has forbidden due to what it contains of devouring the wealth of the people in falsehood and causing hatred and enmity among the people. This is as Allâh said:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓا۟ إِنَّمَا ٱلْخَمْرُ وَٱلْمَيْسِرُ وَٱلْأَنصَابُ وَٱلْأَزْلَٰمُ رِجْسٌ مِّنْ عَمَلِ ٱلشَّيْطَٰنِ فَٱجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩٠﴾ إِنَّمَا يُرِيدُ ٱلشَّيْطَٰنُ أَن يُوقِعَ بَيْنَكُمُ ٱلْعَدَٰوَةَ وَٱلْبَغْضَآءَ فِى ٱلْخَمْرِ وَٱلْمَيْسِرِ وَيَصُدَّكُمْ عَن ذِكْرِ ٱللَّهِ وَعَنِ ٱلصَّلَوٰةِ ۖ فَهَلْ أَنتُم مُّنتَهُونَ ﴿٩١﴾﴾

"O you who believe! Intoxicants (all kinds of alcoholic drinks), gambling, Al-Ansab (stone-altars for sacrificing animals to false deities, and idols) and Al-Azlam (arrows for seeking luck or decision) are an abomination of Shaytan's (Satan's) handiwork. So, avoid (strictly all) that (abomination) in order that you may be successful. Shaytan (Satan) only wants to excite enmity and

[1] *An-Nisa* 4:29-30.

hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allâh and from As-Salah (the prayer). So, will you not then abstain?"[1]

And Allâh is the One Who is asked to give all of the Muslims and us success in doing what contains His Pleasure and rectification of the affairs of His servants, and that He protect all of us from every action that opposes His Law. Verily, He is Most Generous and Most Noble. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

'Abdul-'Aziz bin 'Abdullah bin Baz

The General President for the Administrations of Scientific Researches, Religious Verdicts, Preaching and Guidance

The ruling on presenting Gifts to those who purchase a specified Value of Goods in order to attract a larger Number of Customers

All praise is due to Allâh and blessings and peace be upon His Messenger, his family and his Companions. To proceed:

The Permanent Committee for Scientific Researches and Religious Verdicts has reviewed the question that was sent to the Presidency of Scientific Researches, Religious Verdicts, Preaching and Guidance. The question states:

Q "I have a shop in the market for selling fragrance oils, luxury items and hand bags, and I wanted to increase the sales of my shop by giving some gifts to the buyers. The procedure will be as follows: If the customer buys whatever is valued at 200 riyals from the store he draws a card and gets a gift that is written on the inside of the card. If he buys something for 400 riyals, he gets two cards and two gifts and so forth. In reference to the gifts, they vary. Some of them are

[1] *Al-Ma'idah* 5:90-91.

valuable, which are few in number, and some of them are moderate in value, which are moderate in number. And then there are gifts that are 10% of the value of the purchased item, meaning that which has a value of 20 riyals or more, and these will be of a large percentage of the gifts. This means that the customer will get a gift that will definitely be written inside the card, but the value of the gifts will differ. He may either get a tape recorder or an air conditioner or a television or a cigarette lighter or a bottle of fragrance oil and so forth. For this reason luck plays a large part in this. In reference to the products that are sold during the days of distribution, the gifts are sold at their prices during the normal days and their price is not increased. Nothing is discounted from their prices. The gifts are limited to the customers who are buying retail items and the wholesale customer is not allowed to enter into this offer, because the store has some customers that buy from the wholesale section. Also, the employees of the store have no right to draw a card from these cards. Likewise, whoever supervises its organization cannot enter, if we want to announce it in the local newspapers and place an announcement on the door of the store to attract the attention of the customers. I hope for an answer to this question of mine from your eminence and that you direct me to what contains benefit for me in my religion and my worldly affairs. May Allâh protect you."

The Committee answered as follows:

If the matter is like what has been mentioned, and the person calls what he gives to the buyers 'gifts' in this organized system, then that is forbidden. This is due to what it contains of gambling in order to promote the product and increase the principal wealth by numerous sales. It makes no difference if the prices at which the product is sold is a normal price. This is also due to what this contains of harm for the other businessmen, unless they practice the same method. Thus, in

that is a temptation to practice gambling for the sake of promoting business and increasing earnings. Then, what follows this is hatred and kindling the fire of enmity, dislike and devouring the wealth in falsehood. This is because some person will buy something for 200 riyals and his fortune in his drawn card will bring him a tape player or an air conditioner, and another person will buy the same value of goods and his fortune in the pulled card will be a lighter or a bottle of fragrance oil that is only worth 10 riyals or 20 riyals, for example.

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

This Transaction is a Form of Gambling

Q In our city is a cooperative business organization that displayed a car in front of its entrance, as whoever purchased some products from them at a normal price of 100 dirhams or more would be given a free numbered ticket with a statement printed on it. The statement said, "Its value is ten dirhams." Then, afterwards a drawing was held in which a "lucky winner" won (as they say) that displayed car. My question is this:

1. What is the ruling on participation in this drawing with this given ticket without having to give anything and the person who participates does not lose anything if he does not win?

2. What is the ruling on buying from this organization with the intent of getting the mentioned ticket in order to take part in the drawing?

This is asked because among the people here are those who are educated and they are uncertain and confused about this matter. I hope for an answer to these two questions accompanied by whatever is easy of evidence so that the

Muslims can be upon clear guidance concerning their religion. May Allâh reward you with good. May peace be upon you and the mercy and blessings of Allâh.

This practice is considered a form of gambling and playing games of chance that Allâh has forbidden. This is mentioned in His Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓا۟ إِنَّمَا ٱلْخَمْرُ وَٱلْمَيْسِرُ وَٱلْأَنصَابُ وَٱلْأَزْلَٰمُ رِجْسٌ مِّنْ عَمَلِ ٱلشَّيْطَٰنِ فَٱجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩٠﴾ إِنَّمَا يُرِيدُ ٱلشَّيْطَٰنُ أَن يُوقِعَ بَيْنَكُمُ ٱلْعَدَٰوَةَ وَٱلْبَغْضَآءَ فِى ٱلْخَمْرِ وَٱلْمَيْسِرِ وَيَصُدَّكُمْ عَن ذِكْرِ ٱللَّهِ وَعَنِ ٱلصَّلَوٰةِ ۖ فَهَلْ أَنتُم مُّنتَهُونَ ﴿٩١﴾﴾

"O you who believe! Intoxicants (all kinds of alcoholic drinks), gambling, Al-Ansab (stone-altars for sacrificing animals to false deities, and idols) and Al-Azlam (arrows for seeking luck or decision) are an abomination of Shaytan's (Satan's) handiwork. So, avoid (strictly all) that (abomination) in order that you may be successful. Shaytan (Satan) only wants to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allâh and from As-Salah (the prayer). So, will you not then abstain?"[1]

Thus, it is obligatory upon the authorities and the people of knowledge in your city and other places to reject this practice and warn against it. This is due to what this contains of opposing the Book of Allâh, the Mighty, and devouring the wealth of the people in falsehood. May Allâh provide everyone guidance and firmness upon the truth.

Ash-Shaykh Ibn Baz

The ruling on selling Cigarettes

What is the ruling on smoking cigarettes or selling them?

Smoking cigarettes is forbidden, and so is selling them, buying them and renting out shops to those who will sell

[1] *Al-Ma'idah* 5:90-91.

them, because that is cooperating in sin and transgression. The proof of its forbiddance is Allâh's Statement:

﴿وَلَا تُؤْتُوا۟ ٱلسُّفَهَآءَ أَمْوَٰلَكُمُ ٱلَّتِى جَعَلَ ٱللَّهُ لَكُمْ قِيَٰمًا﴾

"And do not give the foolish people your property which Allâh has made a means of support for you."[1]

The point of evidence from this is that Allâh has prohibited us from giving our wealth to the foolish, because the foolish person will use it in that which is not beneficial. Allâh explains that this wealth is a means of support for the people for the benefits of their religion and their worldly affairs. And spending wealth on cigarettes is not from the beneficial matters of the religion, nor is it from the benefits of the worldly matters. Spending wealth on that is contrary to the reason that Allâh made the wealth for His servants. From the evidences of its forbiddance is Allâh's Statement:

﴿وَلَا تَقْتُلُوٓا۟ أَنفُسَكُمْ﴾

"And do not kill yourselves."[2]

The point of evidence from this Verse is that it has been confirmed in medicine that smoking cigarettes is a cause of incurable diseases like cancer that eventually cause the person who smokes to die. Thus, the person who smokes is doing something that causes his destruction. Also, from the evidences that prove its forbiddance is His Statement:

﴿وَكُلُوا۟ وَٱشْرَبُوا۟ وَلَا تُسْرِفُوٓا۟ ۚ إِنَّهُۥ لَا يُحِبُّ ٱلْمُسْرِفِينَ ﴿٣١﴾﴾

"And eat and drink and do not be wasteful. Verily, He (Allâh) does not love those who are wasteful."[3]

The point of evidence from this Verse is that since Allâh has prohibited wastefulness in the lawful things, which means

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[1] *An-Nisa* 4:5.
[2] *An-Nisa* 4:29.
[3] *Al-A'raf* 7:31.

transgressing the limit in them, then verily, the prohibition of spending money on something that has no benefit is even greater. From the evidences of its forbiddance is the Prophet's prohibition of wasting wealth. There is no doubt that spending wealth on buying these smokes is wasting the wealth, because if he spent the wealth on that from which no benefit is derived, this is no doubt wasting it. There are other evidences as well, but the intelligent person is sufficed by one evidence from the Book of Allâh or the Sunnah of the Messenger of Allâh ﷺ. In reference to the correct view that proves its forbiddance, it is that every intelligent person is not possibly going to indulge in something that is a cause of harming him, his becoming ill and the depletion of his wealth in spending on it. This is because the intelligent person must protect his body and his wealth. No one is negligent concerning this except one who is deficient in his intellect and thinking. Also, from the rationale evidences concerning its forbiddance is that the person who smokes, if he loses his cigarettes, his chest becomes tight and he becomes very uneasy and troubled. He does not feel relieved unless he returns to smoking them. Also, from the rationale evidences concerning its forbiddance is that smoking them makes the acts of worship more difficult for the smoker, especially fasting. For verily, the smoker considers fasting to be very difficult, because he is forbidden from his smoking from the time *Fajr* begins until sunset. During the days of summer this is a very long time and thus, the smoker will detest the fast. Therefore, I advise my Muslim brothers, in general, and those who are being tested by smoking, in particular, to warn against cigarettes, whether it is selling them, smoking them, renting out places in order to sell them from those places or supporting them in any manner whatsoever.

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Cigarettes and Drugs and then giving Charity with its Money

Q What is the ruling on doing business with cigarettes, (illegal) drugs and similar things? Is it permissible to give charity, perform *Hajj* and do acts of righteousness from its money and profits?

A It is not permissible to do business with cigarettes, drugs and other forbidden things, because it is from the wicked things and due to what it contains of physical, spiritual and financial harm. If the person wants to give charity or perform *Hajj* or spend his money in acts of righteousness, he should seek to the good from his wealth to give charity with or perform *Hajj* with or spend in acts of righteousness. This is due to the generality of Allâh's Statement:

﴿يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓاْ أَنفِقُواْ مِن طَيِّبَٰتِ مَا كَسَبْتُمْ وَمِمَّآ أَخْرَجْنَا لَكُم مِّنَ ٱلْأَرْضِ ۖ وَلَا تَيَمَّمُواْ ٱلْخَبِيثَ مِنْهُ تُنفِقُونَ وَلَسْتُم بِـَٔاخِذِيهِ إِلَّآ أَن تُغْمِضُواْ فِيهِ ۚ﴾

"O you who believe! Spend from the good things that you have (legally) earned and from what We have provided for you from the earth. And do not aim at that which is bad to spend from it, (though) you would not accept it except if you close your eyes and tolerate therein."[1]

And also the Prophet's statement:

«إِنَّ اللهَ طَيِّبٌ لَا يَقْبَلُ إِلَّا طَيِّبًا»

"Verily, Allâh is Good and He only accepts good."[2]

The Permanent Committee

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[1] *Al-Baqarah* 2:267.
[2] Muslim no. 1015.

The ruling on selling Statues

Q Is it correct for the Muslim to sell statues and make them his product and live on that (i.e., its earnings)?

A It is not permissible for the Muslim to sell statues or do business with them due to what is confirmed in the authentic *Hadiths* concerning the absolute forbiddance of making images of things that have souls and erecting statues of such things. It is also forbidden to leave them (without destroying them). There is no doubt that doing business with them is a form of promoting them and assisting in their making and erecting them in the houses, clubs and so forth.

If all of this is forbidden, then earning wages by distributing them and selling them is also forbidden. It is not permissible for the Muslim to live on this by (purchasing) food or clothing (from its earnings) or anything similar to that. If the person falls into this, he must leave it and repent to Allâh. May Allâh will accept his repentance. Allâh, the Most High, said:

﴿وَإِنِّي لَغَفَّارٌ لِّمَن تَابَ وَءَامَنَ وَعَمِلَ صَٰلِحًا ثُمَّ ٱهْتَدَىٰ ﴿٨٢﴾﴾

"And verily, I am Most Forgiving for whoever repents, believes, works righteous deeds and then is guided."[1]

A ruling has been issued by us concerning the absolute forbiddance of making images of things with souls, regardless of whether they are three dimensional (i.e., statues) or not (i.e., pictures and photographs). It makes no difference whether they are made by carving or copying or painting or modern photography equipment. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

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[1] *Ta-Ha* 20:82.

The ruling on selling Video Tapes

Q What is the ruling on selling video tapes, which the least of what they contain is women appearing unveiled and performances of stories of love and passion? Is the money of the merchant (who sells these tapes) forbidden? What must he do? And how can he get rid of these tapes and equipment? May Allâh reward you with good.

A It is forbidden to sell these tapes, purchase them, listen to what is on them and look at them, because they call to *Fitnah* (evil temptation, trials) and corruption. It is obligatory to destroy them and rebuke whoever deals with them in order to shutdown this corrupt material and protect the Muslims from the causes of *Fitnah*. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

The ruling on selling VCRs

Q Approximately two and a half years ago I bought a VCR to show films and I still have it now. I have not used it since a year and I regret purchasing it. So, I would like to get rid of it. What should I do, knowing that I do not want to get others involved in what I have fallen into (by giving to them)? Is there any sin on me in selling it since it is used in what Allâh has forbidden?

A It is safer for you not to sell it, because it is usually used for evil. We hope that Allâh will replace it for you with something better than its price. This is due to what is reported from the Prophet ﷺ that he said:

«مَنْ تَرَكَ للهِ شَيْئًا عَوَّضَهُ اللهُ خَيْرًا مِنْهُ»

"Whoever abandons something for Allâh, Allâh will replace it with something better than it."

The Permanent Committee

The ruling on doing Business with forbidden Music Tapes and the ruling on renting Shops to someone who will sell these Tapes

To the noble Shaykh, Muhammad bin 'Uthaimin - may Allâh protect him. You all know what has become widespread of tests in these times of the spread of shops that specifically deal in selling music tapes of various types. What is requested is a clarification concerning the ruling on doing business with these tapes, while knowing that they contain the following:

1. Musical instruments and sounds of all types.

2. The call to shamelessness, corruption and the spread of immorality between the two sexes.

3. Lewd talk and indecent flirting, usually.

What is the ruling on buying and listening to these tapes?

What is the ruling on the wealth that is gained from selling these tapes and doing business with them?

What is the ruling on renting shops to the person who will sell these types of tapes. Does the renter of the shop and the person who sells the tapes in it carry the burden of the sin of those who buy these tapes? Please give us a ruling and may Allâh reward you.

If these tapes contain what you have mentioned of musical instruments and sounds in their various types, calling to shamelessness, corruption, transgression, spreading immorality between the two sexes, lewd talk, and indecent flirting, then no intelligent person, let alone any believer in Allâh and the Last Day, who fears the punishment of Allâh and hopes for His reward, would doubt that buying these tapes and listening to them is a forbidden evil. This is because it is destructive to the character and the society. It exposes the

Ummah to punishments befalling both the public and individuals. It is obligatory upon whoever has any of these tapes to repent to Allâh and erase what is on them of that so that he can record something on them that is beneficial. In reference to the wealth that is gained from selling them and doing business with them, it is forbidden wealth that is not permissible for the person who sells them. This is due to the Prophet's statement:

«إِنَّ اللهَ إِذَا حَرَّمَ شَيْئًا حَرَّمَ ثَمَنَهُ»

"Verily, when Allâh forbids something, He also forbids its price."

In reference to renting shops to those who sell these types of tapes, that is also forbidden and the rent money that is taken for that is forbidden. This is because this is cooperating in sin and transgression that Allâh has forbidden in His Statement:

﴿وَلَا تَعَاوَنُوا عَلَى ٱلْإِثْمِ وَٱلْعُدْوَٰنِ﴾

"And do not cooperate in sin and transgression."[1]

In reference to the sin of the buyers, it is on them, but it is not inconceivable that the seller and the renter of the shop also get some of their sin without decreasing anything from the sin of the buyers. And Allâh knows best.

Ash-Shaykh Ibn 'Uthaimin

The ruling on selling Newspapers and lewd Magazines

Q We have a bookstore for selling school supplies and paper products. Likewise the bookstore sells some newspapers and magazines, and some of these magazines and papers put on their covers or some of their pages the pictures of young ladies in color. The intent behind this is to attract the gazes of the buyers. We have experienced some criticism from some of the people and they say that selling

[1] *Al-Ma'idah* 5:2.

these things is forbidden. We would like from our noble Shaykh — may Allâh protect him — to give us a ruling concerning this matter. May Allâh reward you with good.

It is not permissible for you or anyone other than you to sell the newspapers and magazines that contain pictures of women or articles that are opposed to the pure Islamic law. This is due to the Statement of Allâh:

﴿وَتَعَاوَنُوا۟ عَلَى ٱلْبِرِّ وَٱلتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا۟ عَلَى ٱلْإِثْمِ وَٱلْعُدْوَٰنِ ۚ وَٱتَّقُوا۟ ٱللَّهَ ۖ إِنَّ ٱللَّهَ شَدِيدُ ٱلْعِقَابِ ﴿٢﴾﴾

"And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allâh. Verily, Allâh is severe in punishment." [1]

Ash-Shaykh Ibn Baz

The ruling on selling the Magazines and Papers which contain Pictures

I am a young man who is 21 years old. My father died and I have 5 brothers and my mother. My father left for us places of business and among them is a bookstore for selling newspapers, magazines, religious books and copies of the Qur'an. In the bookstore is a worker who is not a Muslim. I informed my elder brother that it is not permissible for this worker to touch the copies of the Qur'an and the religious books. Likewise, I told him that it is not permissible to sell the magazines that contain pictures. However, he rejected what I told him. So, what should I do? Is it permissible for me to sit with my brothers and eat with them? Please give me a beneficial answer.

We thank you for your abstinence and avoidance of that which is forbidden or doubtful. We advise you to try to

[1] *Al-Ma'idah* 5:2.

get rid of this disbeliever and you will be able to find a trustworthy Muslim who is a lot better than him, if Allâh wills. In reference to the magazines, if they are provocative and call to immorality and wickedness, then selling them, making profit from them and doing any business with them is forbidden. If the pictures that are in them are normal and they are free of indecency and corruption, there is no harm in selling them. Selling them and earning from them is allowed due to what they contain of knowledge, benefits and discussion, and you do not intend the pictures. We also advise you to stay with your brothers and eat with them and there is no sin on you, if Allâh wills.

Ash-Shaykh Ibn Jibreen

The ruling on opening a Photography Shop

Q My nationality is Indian and I am Muslim - all praise is due to Allâh. I work here in the Kingdom (of Saudi Arabia) and I intend, after returning to my country, to open a shop for photography and photocopying documents in order to earn a living for my family and myself. Is this work lawful or forbidden?

A Making pictures of creatures with souls is not permissible. This is due to the statement of the Prophet ﷺ:

«أَشَدَّ النَّاسِ عَذَابًا يَوْمَ الْقِيَامَةِ الْمُصَوِّرُونَ»

"The most severely tormented people on the Day of Resurrection will be the picture makers."[1]

The authenticity of this *Hadith* is agreed upon. This is also because the Prophet ﷺ cursed the person who devours (i.e., takes) *Riba* and the person who gives it, and the picture maker. This was recorded by Al-Bukhari in his *Sahih*.

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[1] Al-Bukhari no. 5950 and Muslim no. 2109.

Thus, we advise you not to open the photography shop and to seek lawful earnings. Allâh says:

﴿وَمَن يَتَّقِ ٱللَّهَ يَجۡعَل لَّهُۥ مَخۡرَجٗا ۝٢ وَيَرۡزُقۡهُ مِنۡ حَيۡثُ لَا يَحۡتَسِبُۚ﴾

"And whoever fears Allâh, He will make for him a way out (of his trouble) and He will provide for him from where he does not expect."[1]

And He says:

﴿وَمَن يَتَّقِ ٱللَّهَ يَجۡعَل لَّهُۥ مِنۡ أَمۡرِهِۦ يُسۡرٗا ۝٤﴾

"And whoever fears Allâh, He will give him ease in his affair."[2]

May Allâh give you success in every good.

Ash-Shaykh Ibn Baz

The ruling on selling a stolen Item and buying it

Q When a person steals something and sells it to someone else who knows that it is stolen, is there any sin on the buyer?

A Whoever knows that the product being sold is stolen, it is forbidden for him to buy it and it is obligatory upon him to reprimand the man who did that. He must advise him to return it to its owner and seek help in that from the authorities if the advice did not work (i.e., the person won't listen).

Ash-Shaykh Ibn Baz

The ruling on selling dead Animals

Q Is it permissible for a person to sell a dead animal to someone else and request money for it?

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[1] *At-Talaq* 65:2-3.
[2] *At-Talaq* 65:4.

Dead animals (i.e., that have not been slaughtered for eating) are forbidden due to Allâh's Statement:

﴿حُرِّمَتْ عَلَيْكُمُ ٱلْمَيْتَةُ﴾

"Dead animals (i.e., that have not been slaughtered for eating) are forbidden for you."[1]

Since they are forbidden, it is not permissible to sell them or buy them and their price is forbidden. It is not permissible for a person to eat of them except in the case of absolute necessity. For verily, when Allâh mentioned the forbidden things in *Surat Al-Maa'idah* — and among them is the dead animals — he said after that:

﴿فَمَنِ ٱضْطُرَّ فِى مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِّإِثْمٍ فَإِنَّ ٱللَّهَ غَفُورٌ رَّحِيمٌ ﴿٣﴾﴾

"But whoever is forced by severe hunger, with no inclination to sin, then surely Allâh is Oft-Forgiving, Most Merciful."[2]

However, excluded from this are dead locusts and dead fish. There is no harm in selling them because Allâh allowed both the fish and the locusts, whether living or dead. This is due to Allâh's Statement:

﴿أُحِلَّ لَكُمْ صَيْدُ ٱلْبَحْرِ وَطَعَامُهُۥ مَتَٰعًا لَّكُمْ وَلِلسَّيَّارَةِ﴾

"Lawful to you is (the pursuit of) water-game and its use for food - for the benefit of yourselves and those who travel." [3]

Also, there is the Prophet's statement concerning the sea:

«هُوَ الطَّهُورُ مَاؤُهُ الحِلُّ مَيْتَتُهُ»

"Its water is pure and its dead animals are lawful."[4]

This is also due to what is reported from him that he said:

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[1] *Al-Ma'idah* 5:3.
[2] *Al-Ma'idah* 5:3.
[3] *Al-Ma'idah* 5:96.
[4] Abu Dawud no. 83, At-Tirmithi no. 69, An-Nasa'i no. 59 and Ibn Majah. 386.

«أُحِلَّتْ لَنَا مَيْتَتَانِ وَدَمَانِ، فَأَمَّا الْمَيْتَتَانِ فَالْحُوتُ وَالجَرَادُ، وَأَمَّا الدَّمَانِ، فَالْكَبِدُ وَالطِّحَالُ»

"Two dead animals are lawful for us (to eat) and two (types of) blood. In reference to the two dead animals, they are the locust and the fish, and the two (types of) blood are the liver and the spleen."[1]

The Permanent Committee

The ruling on selling Blood

Q What is the ruling on selling blood? Is it permissible to take something in return as payment for it or not?

A Blood is impure and it is not permissible to use it or to take it as a cure or for anything else. It makes no difference if it is used by way of the mouth or the arteries or other than that. This is due to the reported *Hadiths* concerning the prohibition of using impurities or that which is forbidden for medical treatment. Among these evidences is the *Hadith* of Umm Ad-Darda'. She said that the Messenger of Allâh said:

«إِنَّ اللهَ أَنْزَلَ الدَّاءَ وَالدَّوَاءَ، وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً، فَتَدَاوَوْا وَلَا تَتَدَاوَوْا بِحَرَامٍ»

"Verily, Allâh sent down the illness and the cure, and He has made a cure for every illness. Therefore, treat each other, but do not treat with something forbidden."[2]

This was recorded by Abu Dawud. Ibn Mas'ud said concerning intoxicants, "Verily, Allâh did not place your cure in what He has forbidden for you." This was mentioned by Al-Bukhari. However, if the illness causes the man to reach a situation of dire necessity and he fears that he may die if he does not use the

[1] Ibn Majah no. 3314 and Ahmad 2:96.
[2] Abu Dawud no. 3874.

blood, then the necessities make prohibited things lawful. Allâh, the Most High, said:

﴿فَمَنِ ٱضْطُرَّ فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِّإِثْمٍ فَإِنَّ ٱللَّهَ غَفُورٌ رَّحِيمٌ ﴿٣﴾﴾

"But whoever is forced by severe hunger, with no inclination to sin, then surely Allâh is Oft-Forgiving, Most Merciful."[1]

So, if the situation causes the sick person to reach a state of fearing death for himself, it is permissible to transfer blood to him, and it may even be obligatory to save his life. In reference to taking compensation for that, it is not permissible. This is because when Allâh forbids something, He also forbids its price. Abu Dawud and Ibn Abi Shaybah recorded a *Hadith* from Ibn 'Abbas that the Prophet ﷺ said:

«لَعَنَ اللهُ الْيَهُودَ إِنَّ اللهَ حَرَّمَ عَلَيْهِمُ الشُّحُومَ (فَجَمَلُوهَا) فَبَاعُوهَا وَأَكَلُوا ثَمَنَهَا»

"May Allâh curse the Jews. When the fat of the animals was made unlawful for them they melted it, sold it and devoured (i.e., used) its price."[2]

If the person is not able to get the necessary blood without paying some compensation, it is permissible for him to pay to get it, and it is forbidden for the one who gives it to take any payment for it.

This is what has been signed (i.e., agreed to).

The Permanent Committee

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[1] *Al-Ma'idah* 5:3.

[2] Al-Bukhari 3460, Muslim 1582 and Abu Dawud no. 3488.

The ruling on buying Products of unknown Owners and Products that are mixed with lawful and forbidden Things

A person says, "There are some products that enter the public auctions due to the fact that their owners cannot be found. For example, they may land at the port without anyone coming to claim their cargo or they arrive with incomplete information. Likewise, it could be that when they land at the port they are put in a storage container that is not the correct storage container that they should put in, or other reasons that make it difficult to find their owner. So, is buying these products lawful or forbidden?"

If the matter is like what has been mentioned, in that the owners of these products are unknown due to some reason, so they are then put up for auction and it is difficult to find out who they originally belonged to, it is permissible to buy them. The person who is responsible for making sure the price of the merchandise reaches its owner is the person who is in charge of selling it or who orders it to be sold. This is because in leaving the items unsold is harmful to their owners and a waist of wealth.

If we are unable to distinguish between seized merchandise due to the owner's lack of ability to pay the customs and duties, and merchandise that enters the auction due to the difficulty in finding its owner, then buying the items in the auction is permissible or not?

Whoever is troubled with the mixing of these items and he cannot distinguish between the lawful of it and the forbidden of it, it is permissible for him to buy from it due to the lack of ability to specify what is forbidden. Indeed the Prophet ﷺ used to buy from the Jews and the disbelievers in general, and he used to accept their gifts even though he knew that the lawful and forbidden of these items was mixed.

May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

The Permanent Committee

Selling that which is defective is not permissible

Q I am a vegetable merchant and I have a partner who bought 40 *Qintaar* of pears from a distance of 1,000 km. Then, when selling these pears to the smaller businessmen it was found that the pears were bad, as all of them had worms in them and all of them were not fit for eating. This is while knowing that I am the one who sold them to the smaller businessmen and I did not know that they had worms in them and that they were not fit for eating. In reference to my partner who brought these pears, he knew they were bad when he arrived at his place and he did not inform me that all of the pears were bad. All he said to me was that a few of them had worms in them. So, what is the ruling of the Islamic law concerning this sale? And what is the ruling concerning the smaller businessmen who knew that the pears were bad and then sold them anyway?

A Selling a defective product without clarifying its defect (to the buyer) is not permissible as it is a form of deception, about which the Messenger of Allâh ﷺ said:

«مَنْ غَشَّنَا فَلَيْسَ مِنَّا»

"Whoever deceives us, then he is not of us."[1]

And it has been confirmed from him ﷺ that he said:

«البَيِّعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا فَإِنْ صَدَقَا وَبَيَّنَا بُورِكَ لَهُمَا فِي بَيْعِهِمَا، وَإِنْ كَتَمَا وَكَذَبَا مُحِقَتْ بَرَكَةُ بَيْعِهِمَا»

"The two people involved in a sales transaction have the choice (of

[1] Muslim no. 101.

going through with it) as long as they do not separate from each other. If they were truthful and they made things clear, they will be blessed in their sale, and if they concealed anything and lied, the blessing of their sale is eradicated."[1]

Whoever deceived and sold a defective product at the price of a good product must repent to Allâh, feel guilty for what he did and not repeat that act again. Also, he must seek the pardon of whoever he cheated and rectify matters with him by returning to him what he deserves.

The Permanent Committee

He sold a Car that had a Defect while he knew it

I bought a car and found that it had a slight defect. So, I sold it without informing the buyer of the defect. Is this considered cheating or not?

Yes, this is considered cheating and it is well known that cheating is forbidden due to what is confirmed from the statement of the Prophet ﷺ:

«مَنْ غَشَّنَا فَلَيْسَ مِنَّا»

"Whoever deceives us, then he is not of us."[2]

You must seek Allâh's forgiveness and repent to Him. You must also make haste to inform the buyer and let him know about what is wrong with the car regarding its defect. This is to free yourself of your responsibility. If he relinquishes his right (i.e., he decides to keep the car reparations) then all praise is due to Allâh. If he does not, then you should agree with him to pay the amount to cover (the repair of) the defect or take the car back and return the money to him. If you all cannot reach an agreement, then the case should be disputed with a judge giving judgment concerning your situation. If you are unable to find

[1] Al-Bukhari no. 2079 and Muslim no. 1532.
[2] Muslim no. 101.

him (the buyer), then you should give charity on his behalf with the amount of money that would cover (the repair of) the defect.

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Is this *Riba*?

A man sold sacks of rice to another man to be paid later at a designated time. So, the buyer took the rice from the seller and an auctioner auctioned the bags of rice at the market. Then, another man bought them from the auctioner and the auctioner said, "Take them." Then, he could not find the buyer present, so the first buyer said, "I am a representative. I will take them for him from the auctioner." Then, those present yelled out, saying, "*Riba*, *Riba*!" Please give us a ruling, and may Allâh reward you.

If the person who bought the rice from the auctioner only bought the rice for himself, and there was no secret deal between him and the first seller or an agreement that he would buy it for him, and he does not work for him doing his work, and the first seller taking the sacks of rice from the auctioner was only by way of being appointed for the buyer, then the sale is correct. There is no *Riba* involved in it. If there was a secret deal made beforehand between the first seller and the person who bought the sacks of rice from the auctioner that he would be responsible for buying them so that the cases would be returned to the first seller, then this is a type of *Riba*, and the sale is incorrect. In this case, that which took place between them is deception and it is not hidden from Allâh, nor does it make something forbidden lawful.

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The ruling on whoever buys Merchandise and sells it while it is still in its Place

Some merchants buy merchandise, then they do not receive it nor do they even see it. Rather, they take a document of sale, they hand over the price and they leave it in the storage facilities of the first merchant whom they bought it from. Then, the second merchant sells it to someone else while it is in the storage facilities of the first merchant. So, what is the ruling on that?

It is not permissible for the buyer to sell this merchandise as long as it remains present in the possession of the seller, until the buyer receives it and transfers it to his house or his store. This is due to what is confirmed from the Prophet ﷺ from the authentic *Hadiths* concerning this. Among them is his statement:

«لَا يَحِلُّ سَلَفٌ وَبَيْعٌ، وَلَا بَيْعُ مَا لَيْسَ عِنْدَكَ»

"It is not permissible to make a loan and a sale (in one transaction), nor selling what you do not have."[1]

This was recorded by Imam Ahmad and the *Sunan* compilers with an authentic chain of narration.

This is also due to his statement to Hakeem bin Hizam:

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have."[2]

This was recorded by the Five except for Abu Dawud, with a good chain of narration. It is also due to what has been confirmed from Zaid bin Thabit from the Prophet ﷺ that he prohibited that products be sold where they are purchased until the merchants take them to their places. This was recorded by

[1] Abu Dawud no. 3504.
[2] Abu Dawud no. 3503.

Ahmad and Abu Dawud, and it was graded authentic by Ibn Hibban and Al-Hakim.

Likewise, whoever buys it from the buyer, he (the first buyer) cannot sell it until he moves it to his house or to another place from the store (where he bought it). This is due to the mentioned *Hadiths* and other *Hadiths* that have been reported with the same meaning. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Do not sell what you do not own

Q If I have a sum of money and a person comes to me and says, "I want you to give me 1,000 riyals as a loan." Then, I say to him, "I will give you 10 for 13 riyals." I mean by that, that I will earn 3 riyals for every 10 riyals (that I loan him). Then, he accepts that and I go with him to the market and I buy a product that is priced at 1,000 riyals. Then, I sell it to the person who wants the loan for 1,300 riyals. Is this lawful or forbidden, while knowing that the sales contract was made before I bought the merchandise?

A Since the questioner mentioned that he sold some property to a person before owning it, and then after he sold it to him, he went and purchased it from the market, the sales agreement in this form is not correct. This is because he sold what he did not own, and indeed the Prophet ﷺ said:

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have."[1]

This was recorded by At-Tirmithi, Ibn Majah and others. And success is from Allâh. May Allâh send blessings and peace upon Muhammad, his family and his Companions.

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[1] Abu Dawud no. 3503.

The Sale of *Al-'Eenah* is forbidden

Q If I bought a car for someone for installment payments (knowing that with the installment payments the price of the car is more), then he requested for me to buy it from him for less than what he bought it for from me, what is the ruling on that?

A This issue is called the issue of *Al-'Eenah* and its ruling is that it is forbidden. The basis of this is what is reported from the Islamic evidences that prove this is prohibited.

And success comes from Allâh. May Allâh send blessings and peace upon our Prophet Muhammad, his family and his Companions.

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Selling the product before owning it and possessing it is not permissible

Q A merchant displayed samples of some products, like refrigerators, washing machines and other items. If one of his customers wanted to buy something from them, he would agree with him on the price and from that point he would contact the supplier and buy the requested amount. Then he would use his vehicle to deliver the item to the location of the customer and receive payment afterwards. What is the ruling on this sale?

A This sale is not permissible because it is selling the product before he owns and possesses it. Indeed it has been authenticated from the Prophet ﷺ that he said:

«لَا يَحِلُّ سَلَفٌ وَبَيْعٌ، وَلَا بَيْعُ مَا لَيْسَ عِنْدَكَ»

"It is not permissible to make a loan and a sale (in one

transaction), nor selling what you do not have."[1]

It is also authenticated from him ﷺ that he said to Hakeem bin Hizam,

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have."[2]

Also, it is confirmed from him ﷺ that he prohibited items to be sold where they were bought, until the merchants (who bought them) took them to their own places. And Allâh is the Giver of success.

Ash-Shaykh Ibn Baz

Do not sell what you do not have

Q There is a company that has agents at the car dealerships. So whoever wants to buy a car on installment payments, he agrees with the owner of the dealership on the price. Then he contacts the agent of this company and the company pays the entire price of the car to the car dealership. Then, the company puts the total amount in installments to be paid by the buyer in monthly payments along with added (extra) amounts. We would like a beneficial answer concerning the permissibility of dealing with this company in reference to the owners of the auto dealerships and the buyers.

A The practice of the company (i.e. a financing company) that you are referring to is opposed to the Islamic Law, because it has been confirmed from the Prophet ﷺ that he said:

«لَا يَحِلُّ سَلَفٌ وَبَيْعٌ، وَلَا بَيْعُ مَا لَيْسَ عِنْدَكَ»

"It is not permissible to make a loan and a sale (in one

[1] Abu Dawud no. 3504.
[2] Abu Dawud no. 3503.

transaction), nor selling what you do not have."[1]

It is also confirmed from the Prophet ﷺ that he said to Hakeem bin Hizam,

«لَا تَبِعْ مَا لَيْسَ عِنْدَكَ»

"Do not sell what you do not have." [2]

Also, it is confirmed from Zaid bin Thabit ﷺ from the Prophet ﷺ that he prohibited that items be sold where they were purchased, until the merchants (who bought them) took them to their own places. This practice of the mentioned company is opposed to all of these *Hadiths*, because it sells what it does not own. It is not permissible to cooperate with this company in this due to Allâh's Statement:

﴿وَتَعَاوَنُوا۟ عَلَى ٱلْبِرِّ وَٱلتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا۟ عَلَى ٱلْإِثْمِ وَٱلْعُدْوَٰنِ ۚ وَٱتَّقُوا۟ ٱللَّهَ ۖ إِنَّ ٱللَّهَ شَدِيدُ ٱلْعِقَابِ ﴿٢﴾﴾

"And cooperate in righteousness and piety, and do not cooperate in sin and transgression. And fear Allâh. Verily Allâh is severe in punishment." [3]

The legislated method is that the company buys the cars or other items and takes them to a particular, designated place. Then, the company should sell to whoever wants to buy any of these items, either with cash paid up front or for delayed payment. May Allâh help everyone to do what pleases Him.

Ash-Shaykh Ibn Baz

The ruling on conspiring secretly to prevent an increase in the price of an item

Q When the public auction is held for some product and the buyers attend, they devise a scheme to benefit some

[1] Abu Dawud no. 3504.
[2] Abu Dawud no. 3503.
[3] *Al-Ma'idah* 5:2..

of them in profit. This is that they work together in a way that the seller or the owner of the product does not know. What will happen is that everyone who is interested in the item will stop bidding (at a low price) because they are actually partners. The goal behind this is to prevent an increase in the price of the product. I would like to know the ruling on that. Is the sale correct that is made to one of these partners if this happened?

Secret conspiring by the buyers in an auction or any other sale in order to stop the price of the product at a specific limit and their scheming to prevent any increase in the price is forbidden. This is due to what that contains of despised selfishness and harm to the owners of the products. Both selfishness and harm of a person against someone else is prohibited, and they are despicable characteristics that are not befitting of the Muslims. Islamic Law is not pleased with such characteristics. This practice also is contained in the meaning of fixing prices unnecessarily and the issue of meeting the caravan (i.e. before it comes to the market to adjust the prices) and similar practices which contain harming of an individual or a group by others. This also fosters grudges and ill feelings, and it leads to devouring the wealth of the people in falsehood. Indeed the Prophet ﷺ prohibited meeting the trade caravan (before reaching the markets in order to fix prices), the city dweller selling for the desert dweller, and fixing prices unnecessarily. He ﷺ also forbade a man offering to buy while his brother has already made an offer, his offering a sale while his brother is attempting to make the sale, his proposing to a woman while his brother has already proposed to her, and whatever is similar to this in meaning. This is due to what these things contain of injustice, harm and causing grudges. Based upon this, the seller who has been tricked into not getting more profit from (the price of) his product is given the choice if it becomes evident that he was cheated out of his product. If he wishes, he may request to cancel the sale, and if he wishes, he may let it go.

May Allâh send blessings and peace upon Muhammad, his family and his Companions.

The Permanent Committee

This is the end of the 4th volume,
and it will be followed by a 5th, Allāh willing.